

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2023-17

INTRODUCED BY:

Councilor Amanda Chavez

Councilor Chris Rivera

A RESOLUTION

ESTABLISHING A TWO (2) YEAR PILOT PROGRAM TO SUPPORT THE PHYSICAL AND MENTAL WELLBEING OF EMPLOYEES.

WHEREAS, according to the Centers for Disease Control and a recent study by the Kaiser Family Foundation, New Mexico has an age-adjusted suicide rate nearly double the average of the rest of the country, as well as higher than average rates of anxiety or depressive disorders; and

WHEREAS, other municipalities in the United States, including Dallas, Texas and Wake Forest, North Carolina, have implemented wellness programs that permit employees to have approved, paid health leave; and

WHEREAS, the New Mexico State Personnel Office (NMSPO), per employee policy, allows employees to request modified work schedules that permit the employee leave for up to two (2) hours total per week for fitness and wellness activities; and

WHEREAS, the NMSPO employee policy defines fitness and wellness activities as, “activities that promote physical and/or mental well-being, including physical exercise (for example, bicycling, walking, jogging, yoga, weight training, swimming, tennis, volleyball, softball

1 and racquetball), health risk appraisals, wellness screenings, fitness testing, mindfulness and
2 meditation exercises, healthy eating classes, nutrition consultation, health behavior change
3 coaching, and smoking cessation classes;” and

4 **WHEREAS** beginning July 1, 2022, the New Mexico Healthy Workplaces Act (HWA)
5 required private employers with one or more employees working in New Mexico to provide paid
6 sick leave to eligible employees for reasons including “mental and physical illness, injury or health
7 condition;” and

8 **WHEREAS**, according to the New Mexico Department of Workforce Solutions, mental
9 health therapy and counseling are qualifying reasons for paid sick leave under the HWA; and

10 **WHEREAS**, the City of Santa Fe (City) is making efforts to highlight mental health in the
11 workplace and wellness resources to all City employees; and

12 **WHEREAS**, the City has personnel rules that govern and provide various forms of leave
13 (Rules 13.10 through Rule 13.90) (“Personnel Rules”); and

14 **WHEREAS**, the Personnel Rules provide for between 71 hours (in year one of full-time,
15 non-union employment) and 159 hours (after year 20 of full-time, non-union employment) of sick
16 leave that may be used for the following reasons:

- 17 1. illness or injury which renders an employee unable to perform the employee’s duties,
- 18 2. medical examination, consultation, or treatment by a licensed practitioner;
- 19 or an
- 20 3. an immediate family member requires the employee’s presence because of injury, illness,
- 21 medical treatment, or death; and

22 **WHEREAS**, the Personnel Rules do not currently provide for “wellness leave” that does
23 not otherwise qualify as sick leave or paid leave for a weekly wellness program, other than leave
24 employees elect to take as annual leave; and

25 **WHEREAS**, the mental health and fitness of all City employees make it reasonable and


1 appropriate to implement immediate changes to the Personnel Rules to establish and pilot a
2 program for wellness leave and a weekly two (2) hour Wellness Program in relation to non-union
3 employees and for management to propose the same to union employees.

4 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
5 **CITY OF SANTA FE** that changes to the Personnel Rules, as represented in Exhibit A, are adopted
6 for non-union employees to establish a two-year pilot program from the effective date, which will
7 include Wellness Leave and a two-hour Weekly Wellness Program for City Employees.

8 **BE IT FURTHER RESOLVED** that the City Manager shall discuss the Personnel Rules
9 as represented in Exhibit A, with the City's union employees. Should the union accept the terms of
10 Exhibit A as stated, then the rules shall be in place for the unions as well as non-union employees.

11 **BE IT FURTHER RESOLVED** that the pilot program shall go into effect on July 1, 2023.

12 PASSED, APPROVED, and ADOPTED this 10th day of May, 2023.

13
14
15 

16 ALAN WEBBER, MAYOR

17 ATTEST:

18
19 

20 KRISTINE MIHELIC, CITY CLERK

21 APPROVED AS TO FORM:

22
23 

24 ERIN K. MCSHERRY, CITY ATTORNEY

25 *Legislation/2023/Resolutions/2023-17 Mental Health and Wellness Pilot*