



STATE OF NEW MEXICO
HUMAN SERVICES DEPARTMENT
HUMAN SERVICES REGISTER

I. DEPARTMENT

HUMAN SERVICES DEPARTMENT

II. SUBJECT

NEW MEXICO WAGE SUBSIDY PROGRAM

III. PROGRAMS AFFECTED

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

IV. ACTION

PROPOSED REGULATION

V. BACKGROUND

The New Mexico wage subsidy program is a subsidized employment opportunity where a TANF cash assistance participant is employed full time. The department or its agents may subsidize up to 50 percent of the employee's salary with funds from the TANF block grant. Funding of the program is contingent on specific appropriation of state and federal funding.

The New Mexico Human Services Department is proposing amendments to 8.102.462 to update the regulations to reflect good cause related to absences.

VI. PROPOSED REGULATIONS

This is an amendment to 8.102.462 NMAC, Section 13

8.102.462.13 LEAVE BALANCES AND ABSENCES:

A. Annual and sick leave: While participating in the NMW wage subsidy program, the participant is entitled to accrue a balance of both sick and annual leave, as provided by the employer.

B. Excused absences: Participants are entitled to unpaid excused absences at the discretion of the site supervisor or NMW service provider. A participant may not be allowed more than 16 hours of unpaid excused absences in any month or 80 hours cumulatively during the wage subsidy term, without good cause. Absences are approved

by the site supervisor or by the NMW service provider.

[D] C. Absences in excess of the accrued annual, sick and the unpaid excused absence totals without good cause will result in termination of the NMW wage subsidy activity and the participant will be subject to the conciliation and sanction process in accordance with regulation at 8.102.620 NMAC. The appropriate termination process dictated by the employer's human resources procedures shall be followed.
[8.102.462.13 NMAC - Rp, 8.102.460.32 NMAC, 04/01/2012; A, 11-01-2014]

VII. PUBLIC HEARING

A public hearing to receive testimony on this regulation will be held on September 30, 2014, from 1:00 p.m. to 2:00 p.m. The hearing will be held at the Income Support Division Conference Room at Pollon Plaza, 2009 S. Pacheco St., Santa Fe, NM 87505. The Conference room is located in room 120 on the lower level. Individuals wishing to testify may contact the Income Support Division, P.O. Box 2348, Santa Fe, NM 87504-2348, or by calling toll free 1-800-432-6217.

If you are a person with a disability and you require this information in an alternative format, or you require a special accommodation to participate in any HSD public hearing, program, or service, please contact the New Mexico Human Services Department toll free at 1-800-432-6217, in Santa Fe at 827-9454, or through the New Mexico Relay system, toll free at 1-800-659-8331. The Department requests at least a 10-day advance notice to provide requested alternative formats and special accommodations.

IX. ADDRESS

Interested persons may address written or recorded comments to:

Sidonie Squier, Secretary
Human Services Department
P.O. Box 2348 Pollon Plaza
Santa Fe, NM 87504-2348

Interested persons may also address comments via electronic mail to:

brandi.sandoval@state.nm.us

X. PUBLICATION

Publication of these regulations approved on 7/25/2014 by:



SIDONIE SQUIER, SECRETARY

HUMAN SERVICES DEPARTMENT



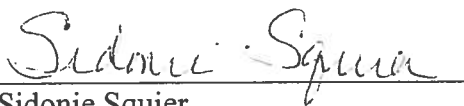
HUMAN SERVICES
DEPARTMENT

Susana Martinez, Governor
Sidonie Squier, Secretary

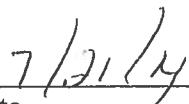
July 22, 2014

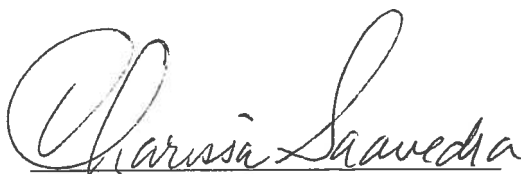
I hereby authorize New Mexico Human Services Department Deputy Secretary Charissa Saavedra, to act as Secretary for the department for purposes of signing documents on the follow days in my absence.

July 23, 2014 thru August 1, 2014

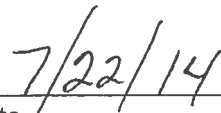


Sidonie Squier
Cabinet Secretary


Date



Charissa Saavedra
Deputy Cabinet Secretary


Date