

# Key features of the City of Albuquerque Paid Time Off Ordinance

## Which employees are covered?

The ordinance applies to employees who work at least 56 hours in a year for an employer located in the City of Albuquerque.

## Which employers are excluded?

- For the first year, employers with fewer than 10 employees
- After the first year, employers with fewer than three employees

## What can paid time off be used for?

Employees can take earned paid time off for any use.

## How much paid time off do employees get?

Employees accrue one hour of paid time off for every 32 hours they work. Employers must allow employees to carry over unused paid time off to the next year, up to 56 hours.

- Starting in January 2021, employers with 10 or more must provide 56 hours each year.
- Starting in January 2022, employers with 3 or more employees must provide 56 hours.

## How soon can an employee use paid time off?

Employees start to accrue paid time off on the employee's date of employment or on January 1, 2021, whichever is later. Employees can use their accrued paid time off after they have worked 56 hours for the employer, and no earlier than April 1, 2021.

## How much advance notice do employees have to provide?

When employees know ahead of time that they need to take leave, like for a scheduled medical appointment, they must notify their employer as soon as they reasonably can. Employers cannot require advance notice for time taken for an emergency or sudden illness, or if the employee or employee's family member is the victim of domestic abuse, sexual assault, or stalking.

## Can employers require employees to find a replacement worker to cover for them?

No.

## Can employers punish employees for taking time off?

No. The ordinance prohibits employers from threatening to take or taking any action against employees because employees ask for time off, take time off, or complain about violations of their rights.

## How can employees enforce their rights to paid time off?

Employees may file a complaint with the City within one year of alleged violation. If after 90 days the City has not resolved the complaint, the employee can file a complaint in court.

## How does the ordinance affect existing paid time off policies?

Employers that currently have a policy that exceeds the minimum requirements of this ordinance can continue with their current policy.