

NOTICE OF RULEMAKING

The New Mexico Department of Workforce Solutions (“Department” or “NMDWS”) hereby gives notice that the Department will conduct a public hearing to receive comments regarding proposed amendments to 11.1.2 NMAC (the Public Works Minimum Wage Act Policy Manual) in the Leo Griego Auditorium located in the State Personnel Office (Willie Ortiz Building) at 2600 Cerrillos Road in Santa Fe, New Mexico, 87505 on March 4, 2026 from 2:00 pm to 4:00 pm.

The purpose and summary of the public comment hearing will be to obtain input and public comment on a proposed change to the definition of “public works” to clarify that prevailing wage rates do not apply to privately owned residential projects.

Under Section 9-26-4, NMSA 1978, the Workforce Solutions Department is responsible for the administration of the Labor Relations Division (“LRD” or “Division”), which oversees setting prevailing-wage and fringe-benefit rates for public works projects. Pursuant to Section 13-4-11, NMSA 1978, the Director of the Division shall determine the prevailing-wage rates and the prevailing fringe-benefit rates and shall issue rules necessary to administer and accomplish the purposes of the Public Works Minimum Wage Act.

Interested individuals are encouraged to submit written comments to the New Mexico Department of Workforce Solutions, P.O. Box 1928, Albuquerque, N.M., 87103, attention Andrea Christman prior to the hearing for consideration. Written comments must be received no later than 5 p.m. on March 3, 2026. However, the submission of written comments as soon as possible is encouraged.

Copies of the proposed rule may be accessed online at <https://www.dws.state.nm.us/> or obtained by calling Andrea Christman at (505) 841-8478 or sending an email to Andrea.Christman@dws.nm.gov. The proposed rule will be available at least thirty days prior to the hearing.

Individuals with disabilities who require this information in an alternative format or need any form of auxiliary aid to attend or participate in this meeting are asked to contact Ms. Christman as soon as possible. The Department requests at least ten (10) days advance notice to provide requested special accommodations.