



EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL

Know Your Rights: Workplace Discrimination is Illegal
The U.S. Equal Employment Opportunity Commission (EEOC) enforces the federal laws that protect you from discrimination in employment.

Who is Protected?
Employers (current and former), including managers and temporary employees
What Types of Employment Discrimination are Illegal?
Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the basis of:

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS
The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action requirements of federal contracts.

FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT
FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009
The law requires employers to display this poster where employees can readily see it.

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System.

HUMAN TRAFFICKING NOTICE

IF YOU OR SOMEONE YOU KNOW IS A VICTIM OF THIS CRIME, CONTACT THE FOLLOWING:
IN NEW MEXICO, CALL OR TEXT 505-GET-FREE (505-438-3733)

NOTICE ON HUMAN TRAFFICKING

Obtaining forced labor or services is a crime under New Mexico and Federal Law
UNEMPLOYMENT INSURANCE NOTICE
The State of New Mexico requires all employers to post and maintain the Unemployment Insurance Notice in a place readily accessible to individuals in his or her service.

NEW MEXICO MINIMUM WAGE

NEW MEXICO MINIMUM WAGE ACT
EMPLOYEE RIGHTS
The City of Santa Fe and Santa Fe County have higher base minimum wage rates.

MINIMUM WAGE IN NEW MEXICO

\$12 per hour as of January 1, 2023

OVERTIME PAY
At least 1 1/2 times your regular hourly rate of pay for all hours worked over 40 in a workweek.

TIPPED WORKERS
Employers must pay tipped employees an hourly rate of at least \$3 per hour.

NO STUDES RATE FOR STUDENTS OR MINORS
These minimum wage rates apply to all employees regardless of their age or student status.

DAMAGES
Employers who violate the minimum wage or overtime requirements are required to pay impacted employees the full amount of their underpaid wages plus interest, plus an additional amount equal to twice the underpaid wages.

RETALIATION PROHIBITED
It is unlawful to retaliate against an employee for asserting a wage claim or for informing other employees of their rights.

ENFORCEMENT
The Labor Relations Division of the Department of Workforce Solutions investigates claims and recovers back wages for employees who have been underpaid in violation of law, regardless of the dollar value of the claim, going back at least three years, or longer if there was a continuing course of conduct.

ADDITIONAL INFORMATION
Certain jobs or employees are exempt from the minimum wage or overtime provisions.

Employers must display this poster where employees can easily see it.
For more information or to file a wage claim, contact the Labor Relations Division at 505-841-4400, or online at www.dws.state.nm.us

OMBUDSMAN ACT

ATTENTION EMPLOYERS AND WORKERS!
If you have questions about worker's compensation, call the WCA Ombudsman for free information.

PAYDAY NOTICE
Regular Paydays for Employees of
Weekly Bi-Weekly Monthly Other

WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING
Since you last filed Form W-4 with your employer did you...
Were there other major changes to...
If you can answer "YES"...

ANTI-DISCRIMINATION NOTICE

DISCRIMINATION IS against the law.
If you feel that you have been discriminated against, visit our website or contact us.

NEW MEXICO HUMAN RIGHTS ACT

The Human Rights Bureau enforces the provisions of the Human Rights Act of 1969. Additionally, the Human Rights Bureau has a working-sharing agreement with the Equal Employment Opportunity Commission (EEOC).

Enforcement
The New Mexico Department of Workforce Solutions Human Rights Bureau investigates complaints of discrimination and harassment in employment, housing, credit, and public accommodations.

Human Rights Bureau
New Mexico Department of Workforce Solutions
Bureau de Derechos Humanos
New Mexico Department of Workforce Solutions

WORKERS' COMPENSATION

WORKERS' COMPENSATION ACT

If You Are Injured At Work
Si Se Lastima En El Trabajo
1) Notice - In most cases you must tell your employer about the accident within 15 days, using the Notice of Accident Form.

Employer's Insurer / Claims Representative:
Name:
Phone #:
Address:

YOUR RIGHTS
If you are injured in a work-related accident:
Your employer / insurer must pay all reasonable and necessary medical costs.

OBDMEN are located at the following offices:
Albuquerque: Farmington: Hobbs: Las Cruces: Las Vegas: Roswell: Santa Fe:

If You Need HELP Call:
Si Usted Necesita Ayuda Llame Al:
1-866-WORKOMP (1-866-967-5667)

FOR FREE copies of this poster and Notice of Accident Forms call: 1-866-967-5667
USE A NOTICE OF ACCIDENT FORM TO REPORT YOUR ACCIDENT TO YOUR SUPERVISOR

NOTICE OF ACCIDENT OR OCCUPATIONAL DISEASE DISABLEMENT
NOTIFICACION DE ACCIDENTO O ENFERMEDAD DE OFICIO

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FMLA - FAMILY AND MEDICAL LEAVE ACT

Your Employee Rights Under the Family and Medical Leave Act
What is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons.

PAID SICK LEAVE

PAID SICK LEAVE
Notice of Employee Rights
Healthcare Workers Act | NMSA 50-17-1 to 50-17-12
Effective Date: July 1, 2022

ACCURAL

Employees accrue one hour of earned sick leave for every thirty hours worked, starting their first day of work. Up to 64 hours of unused earned sick leave can carry over year to year.

REASON FOR USE OF LEAVE
Employees may use accrued sick leave for the following reasons:
• Employee's treatment or diagnosis of illness, injury, or health condition, or preventative medical care.

NOTICE
An employer must give written or electronic notice of employee rights and the Act's terms and provisions to an employee at the start of employment.

REASONABLE DOCUMENTATION
An employer may require reasonable documentation verifying the sick leave was used for a covered purpose.

DOCUMENT RETENTION
Employers must keep records documenting hours worked by employees and earned sick leave accrued and taken by employees for four years.

RETIALATION PROHIBITED
Employers may not take or threaten an adverse action against an employee that is reasonably likely to deter employees from exercising or attempting to exercise their rights under the Act.

COMPLAINT PROCESS
The New Mexico Department of Workforce Solutions, Labor Relations Division, enforces the Act. Any employee aggrieved by a violation of the Act may file a complaint with the Labor Relations Division by calling (505) 841-4400.

EMPLOYEE POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT
The Employee Polygraph Protection Act (EPPA) prohibits most private employers from using lie detector tests before pre-employment screening or during the employment process.

OCCUPATIONAL SAFETY AND HEALTH PROTECTION

NEW MEXICO JOB HEALTH AND SAFETY POSTER
You Have a Right to a Safe and Healthful Workplace IT'S THE LAW!

Employees:
• You have the right to notify your employer or OSHA about workplace hazards.
• You have the right to request a New Mexico OSHA inspection if you believe that there are unsafe or unhealthful conditions in your workplace.

Employees:
• You can file a complaint with New Mexico OSHA within 30 days of discrimination by your employer for making safety and health complaints or for exercising your rights under the New Mexico Occupational Health and Safety Act.

Employees:
• You have the right to OSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation.

Employees:
• You must comply with all OSHA standards issued under the OSHA Act that apply to your own actions and conduct on the job.

Employees:
• Employers must furnish your employees a place of employment free from recognized hazards.

Employees:
• Occupational Safety and Health Act of 1970 (OSHA Act), P.L. 91-596, assures safe and healthful working conditions for working men and women throughout the Nation.

OSHA

Salud de Trabajo y Cartel de Seguridad
Usted Tiene el Derecho a un Lugar de Trabajo Seguro y Saludable ¡LO ESTABLECE LA LEY!

Employees:
• Usted tiene el derecho de notificar a su empleador o a la OSHA sobre peligros en el lugar de trabajo.
• Usted tiene el derecho de pedir a la OSHA de Nuevo México que realice una inspección si usted piensa que en su trabajo existen condiciones peligrosas o poco saludables.

Employees:
• Usted tiene el derecho de presentar una queja ante la OSHA de Nuevo México si su empleador le ha tomado represalias o discriminado en su contra por haber denunciado la condición de seguridad o salud o por ejercer los derechos consagrados bajo la Ley OSH de Nuevo México.

Employees:
• Usted debe cumplir con todas las normas de seguridad y salud ocupacionales expedidas conforme a la Ley OSH que sean aplicables a sus propias acciones y conducta en el trabajo.

Employees:
• Usted debe proporcionar a su empleador un lugar de empleo libre de peligros conocidos.

Employees:
• El Occupational Safety and Health Act of 1970 (OSHA Act), P.L. 91-596, garantiza condiciones ocupacionales seguras y saludables para los hombres y las mujeres que desempeñan algún trabajo en todo el Estado de Nuevo México.

Employees:
• El Occupational Safety and Health Act of 1970 (OSHA Act), P.L. 91-596, garantiza condiciones ocupacionales seguras y saludables para los hombres y las mujeres que desempeñan algún trabajo en todo el Estado de Nuevo México.