

NOTICE: Employers must contact their local unemployment office or the state agency responsible for unemployment compensation to receive the official Unemployment Insurance posting. Employees should contact their local unemployment office for information on how to claim unemployment benefits.
THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THIS STATE'S UNEMPLOYMENT INSURANCE POSTING REQUIREMENT.

NOTICE: The State of New Mexico requires employers to post Notice of Accident forms with the Workers' Compensation Act posting. The forms can be hung at the bottom of the poster, where indicated. For copies of the forms, contact the Workers' Compensation Administration at 505-841-6000 or 1-800-255-7965 or email wca.hotline@state.nm.us.
THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Department of Workforce Solutions
OFFICIAL NOTICE
Minimum Wage Act

**Minimum Wage - Every employer shall pay to each employee wages not less than the following:
Effective January 1, 2009
\$7.50 per hour**

MINIMUM WAGES

A. An employer shall pay an employee the minimum wage rate of six dollars fifty cents (\$6.50) an hour. As of January 1, 2009, an employer shall pay the minimum wage rate of seven dollars fifty cents (\$7.50) an hour.
B. An employer furnishing food, utilities, supplies or housing to an employee who is engaged in agriculture may deduct the reasonable value of such furnished items from any wages due to the employee.
C. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid a minimum hourly wage of two dollars thirteen cents (\$2.13).
D. An employee shall not be required to work more than forty hours in any week of seven days, unless the employee is paid one and one-half times the employee's regular hourly rate of pay for all hours worked in excess of forty hours. **50-4-22.**

TEMPORARY STATE PREEMPTION; SAVING CLAUSE

A local law or ordinance, whether advisory or self-executing, in effect on January 1, 2007 that provides for a higher minimum wage rate than that set forth in the Minimum Wage Act shall continue in full force and effect until repealed. **50-4-22.1.**

EMPLOYERS EXEMPT FROM OVERTIME PROVISIONS FOR CERTAIN EMPLOYEES

A. An employer of workers engaged in the ginning of cotton for market, is exempt from the overtime provisions of Subsection D of Section 50-4-22 NMSA 1978 if each employee is employed for a period of not more than fourteen weeks in the aggregate in a calendar year.

B. An employer of workers engaged in agriculture is exempt from the overtime provisions set forth in Subsection D of Section 50-4-22 NMSA 1978.

C. An employer is exempt from the overtime provisions set forth in Subsection D of Section 50-4-22 NMSA 1978 if the hours worked in excess of forty hours in a week of seven days are: (1) worked by an employee of an air carrier providing scheduled passenger air transportation, (2) not required by the employer, and (3) arranged through a voluntary agreement among employees to trade scheduled work shifts. **50-4-24.**

POSTING OF SUMMARY OF THE ACT

Every employer subject to the Minimum Wage Act [50-4-20 NMSA 1978] shall keep a summary of it, furnished by the labor commissioner (director of the labor and industrial division) without charge, posted in a conspicuous place on or about the premises wherein any person subject to the Minimum Wage Act is employed, and the summary shall clearly and conspicuously set forth the current minimum wage. **50-4-25.**

ENFORCEMENT; PENALTIES; EMPLOYEES' REMEDIES

A. An employer who violates any of the provisions of the Minimum Wage Act is guilty of a misdemeanor and upon conviction shall be sentenced pursuant to the provisions of Section 31-19-1 NMSA 1978.

B. The director of the labor relations division of the workforce solutions department shall enforce and prosecute violations of the Minimum Wage Act.

C. In addition to penalties provided pursuant to this section, an employer who violates any provision of Section 50-4-22 NMSA 1978 shall be liable to the employees affected in the amount of their unpaid or underpaid

minimum wages plus interest, and in an additional amount equal to twice the unpaid or underpaid wages. **50-4-26.**

RETALIATION PROHIBITED

It is a violation of the Minimum Wage Act [50-4-20 NMSA 1978] for an employer or any other person to discharge, demote, deny promotion to or in any other way discriminate against a person in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to the Minimum Wage Act or assisting another person to do so or for informing another person about employment rights or other rights provided by law. **50-4-26.1**

The full version of the New Mexico Minimum Wage Act is available at www.dws.state.nm.us

Any suspected VIOLATIONS can be reported anonymously to the New Mexico Department of Workforce Solutions, Labor Relations Division at:

Albuquerque Office 121 Tijeras NE, Suite 3000, Albuquerque, NM 87102 (505) 841-4400
Las Cruces Office 226 South Alameda Blvd. Las Cruces, NM 88005 (575) 524-6195
Santa Fe Office 1596 Pacheco Street, Suite 201, Santa Fe, NM 87501 (505) 827-6817

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Department of Workforce Solutions

**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 work-sharing agreement with the Equal Employment Opportunity Commission (EEOC) to enforce the provisions of federal law under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967 (ADEA), and the Americans with Disabilities Act of 1990 (ADA), all as amended. Prohibited discriminatory bases include:

- Race
- Color
- National Origin
- Ancestry
- Sex
- Age
- Physical or Mental Disability or Serious Medical Condition
- Sexual Orientation
- Gender Identity
- Spousal Affiliation
- Religion

Sexual harassment and harassment based on other protected categories is prohibited by the Act.

The Human Rights Act prohibits discrimination in the areas of employment, housing, credit, and public accommodations, and prohibits retaliation for complaining about discrimination in any of these areas.

If you feel you have been discriminated against, contact the Human Rights Bureau by phone or fill out a complaint form online at:

www.dws.state.nm.us

ENFORCEMENT

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

Complaints must be filed with the Human Rights Bureau within 300 days of the last act of discrimination or harassment.

For assistance in filing a complaint, or for any other information on the Human Rights Act, please call (800) 566-9471 (toll-free) or (505) 827-6838, or visit our website at:

www.dws.state.nm.us

HUMAN RIGHTS BUREAU
1596 PACHECO STREET, SANTA FE, NM 87505
OFFICE: (505) 827-6838
TOLL-FREE: (800) 566-9471
FAX: (505) 827-6878

**DISCRIMINACIÓN
es contra la ley.**

Si siente que ha sido discriminado, visite nuestra página por Internet o póngase en contacto con nosotros.

LA LEY DE DERECHOS HUMANOS DE NUEVO MÉXICO

El Buró de Derechos Humanos impone las provisiones de la Ley de Derechos Humanos de 1969. Adicionalmente, el Buró de Derechos Humanos tiene un acuerdo de reparto de trabajo con la Comisión de Igualdad de Oportunidades en el Empleo (Equal Employment Opportunity Commission, EEOC) para hacer cumplir las provisiones de la ley federal bajo el Título VII de la Ley de Derechos Civiles de 1964 (Civil Rights Act), la Ley de Discriminación por Edad en el Empleo de 1967 (Age Discrimination in Employment Act, ADEA), y la Ley de Americanos con Discapacidades de 1990 (Americans with Disabilities Act, ADA), todas según enmendadas. Las bases discriminatorias prohibidas incluyen:

- Raza
- Color
- Origen Nacional
- Ascendencia
- Sexo
- Edad
- Discapacidad Mental o Física o Condiciones Médicas Graves
- Orientación Sexual
- Identificación de Género
- Afiliación Nupcial
- Religión

El acoso sexual y acoso basado en otras categorías protegidas están prohibidos por la Ley.

La Ley de Derechos Humanos prohíbe la discriminación en las áreas de empleo, alojamiento, el acceso al crédito, y hospedaje público, y prohíbe la represalia por quejas en cualquiera de estas áreas.

Si usted siente que ha sido discriminado, comuníquese con el Buró de Derechos Humanos por teléfono o complete el formulario de quejas por Internet en:

www.dws.state.nm.us

CUMPLIMIENTO

El Buró de Derechos Humanos del Departamento de Soluciones de Fuerza Laboral de Nuevo México investiga quejas de discriminación y acoso en el empleo, alojamiento, el acceso al crédito, y hospedaje público.

Las quejas deben ser presentadas al Buró de Derechos Humanos dentro de 300 días de que ocurrió el último acto de discriminación o acoso.

Para ayuda en completar una queja, o por cualquier otra información sobre la Ley de Derechos Humanos, por favor llame al (800) 566-9471 (gratuitamente) o (505) 827-6838, o visite nuestra página por Internet en:

www.dws.state.nm.us

BURÓ DE DERECHOS HUMANOS
1596 PACHECO STREET, SANTA FE, NM 87505
OFICINA: (505) 827-6838
LÍNEA GRATUITA: (800) 566-9471
FAX: (505) 827-6878

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NOTICE ON HUMAN TRAFFICKING

**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)**

**OR CALL THE NATIONAL HUMAN
TRAFFICKING RESOURCE CENTER
HOTLINE TOLL-FREE AT
1-888-373-7888 FOR HELP**

**YOU MAY ALSO SEND THE TEXT
"HELP" OR "INFO" TO BEFREE ("233733")**

YOU MAY REMAIN ANONYMOUS, AND YOUR CALL OR TEXT IS CONFIDENTIAL

505-GET-FREE (505-438-3733)

**OBTAINING FORCED LABOR OR SERVICES IS A
CRIME UNDER NEW MEXICO AND FEDERAL LAW**



State of New Mexico Workers' Compensation Administration

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.

2) You have the right to information and assistance from an information specialist known as an Ombudsman at the Workers' Compensation Administration.

3) Claims information -- Contact your employer's Claims Representative.

1) Aviso. -- En la mayoría de los casos usted debe de avisarle a su empleador del accidente dentro de los primeros 15 días usando las formas de Aviso de Accidente.

2) Usted tiene el derecho a información y ayuda contactándose con un especialista en información conocido como "Ombudsman" en la Administración para la Compensación a los Trabajadores.

3) Información acerca de Reclamaciones. -- Contáctese con el representante de reclamaciones de su compañía.

Employer's Insurer / Claims Representative:

Name: _____
Phone #: _____
Address: _____

Note: Employer must fill in this insurer / claims representative information.

YOUR RIGHTS

If you are injured in a work-related accident:

Your employer / insurer must pay all reasonable and necessary medical costs.

You may or may not have the right to choose your health care provider. If your employer / insurer has not given you written instructions about who chooses first, call an ombudsman. In an emergency, get emergency medical care first.

If you are off work for more than 7 days, your employer / insurer must pay wage benefits to partially offset your lost wages.

If you suffer "permanent impairment," you may have the right to receive partial wage benefits for a longer period of time.

SUS DERECHOS

Si se lastima en el trabajo:

Su empleador / asegurador debe de pagar por los gastos médicos necesarios y razonables.

Es posible que usted tenga, o no tenga, el derecho de escoger el proveedor de servicios para la salud. Si su empleador / asegurador no le ha dado instrucciones por escrito de quien es él que selecciona primero, pregúntele o llame a un ombudsman. En una emergencia, obtenga asistencia médica de emergencia primero.

Si usted está fuera del trabajo por más de siete días, su empleador / asegurador debe de hacerle un pago compensatorio de prestaciones para compensar parcialmente la pérdida de su salario.

Si usted sufre "daño permanente," usted puede tener el derecho a recibir prestaciones parciales de salario por un periodo de tiempo más largo.

Ombudsmen are located at the following offices:

Albuquerque: 1-800-255-7965 1-505-841-6000	Farmington: 1-800-568-7310 1-505-599-9746	Las Cruces: 1-800-870-6826 1-800-281-7889 1-575-524-6246	Las Vegas: 1-800-454-9251	Lovington: 1-800-934-2450 1-575-396-3437	Roswell: 1-866-311-8587 1-575-623-3997	Santa Fe: 1-505-476-7381
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If You Need HELP Call:

Ask for an Ombudsman

Si Usted Necesita Ayuda Llame Al:

Pregunte por un Ombudsman

1-866-WORKOMP (1-866-967-5667)

Visit our website at: www.workerscomp.state.nm.us

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

EMPLOYER: You are required by law to post this poster where your employees can read it and to post Notice of Accident forms with it. This poster without Notice of Accident forms does not comply with law. You have other rights and duties under the law.

