

FED

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.

OVERTIME PAY
At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR
Children must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT
Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employer's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

NURSING MOTHERS
The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employer to express breast milk for nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are not required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

DEPARTMENT OF LABOR
UNITED STATES OF AMERICA

WHD WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd

WH1088

REV. 07/2016

FED

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS
Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care.
- To bond with a child (leave must be taken within 1 year of the child's birth or placement).
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition.
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job.
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

BENEFITS & PROTECTIONS
While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

ELIGIBILITY REQUIREMENTS
An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE
Generally, employees must give 30 days' advance notice of the need for FMLA leave. If it is not possible to give 30 days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employees can request a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES
Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employees must notify their employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT
Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information or to file a complaint:
1-866-4-USWAGE
(1-866-487-9243) TTY: 1-877-889-5627
www.dol.gov/whd

DEPARTMENT OF LABOR
UNITED STATES OF AMERICA

WHD WAGE AND HOUR DIVISION
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WH1462

U.S. Department of Labor - Wage and Hour Division - WH1420

REV. 04/2016

NM

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 employer who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall add a minimum hourly wage of one dollar thirteen cents (\$1.13).
D. An employer 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 for any work hours worked in excess of forty hours.
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 minimum wage rate that does not set forth in the Minimum Wage Act shall continue in full force and effect until repealed.
EMPLOYERS EXEMPT FROM OVERTIME PROVISIONS FOR CERTAIN EMPLOYEES
A. An employer who engages in the growing 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 more than fourteen days in the aggregate in a calendar year.
B. An employer who engages 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) required by an employer of an air carrier providing scheduled passenger air transportation, (2) not worked by the employer, and (3) arranged through a voluntary agreement among employees to trade scheduled work shifts.
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 where any person subject to the Minimum Wage Act is employed, and the summary shall identify and conspicuously set forth the current minimum wage.
ENFORCEMENT; PENALTIES; EMPLOYER'S 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 31-1-1 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 employee 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.
RETAILATION PROHIBITED
It is a violation of the New Mexico 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.
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 246 South Nemesia Blvd., Las Cruces, NM 88003 (575) 524-9195 Santa Fe Office 1596 Pacheco Street, Suite 201, Santa Fe, NM 87501 (505) 827-8167

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

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

FED

EMPLOYEE RIGHTS - EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

PROHIBITIONS
Employers are generally prohibited from requiring or requesting an employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test for exercising other rights under the Act.

EXEMPTIONS
Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armed car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

EMPLOYER RIGHTS - EMPLOYEE POLYGRAPH PROTECTION ACT
The law does not prevent any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS
Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

ENFORCEMENT
The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against employers or job applicants may also bring their own court actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

DEPARTMENT OF LABOR
UNITED STATES OF AMERICA

WHD WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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TTY: 1-877-889-5627
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WH1462

REV. 07/2016

FED

YOUR RIGHTS UNDER USERRA

THE 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. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

REEMPLOYMENT RIGHTS
You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed services and:

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other non-honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION
If you:

- are a past or present member of the uniformed service;
- are obligated to serve in the uniformed service;
- have applied for membership in the uniformed service; or
- then an employer may not deny you:

- initial employment;
- promotion; or
- reemployment;
- any benefit of employment;
- retention in employment;

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

HEALTH INSURANCE PROTECTION
If you leave your job to perform service in the uniformed services, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.

Even if you don't elect to continue coverage during your military service, you have the right to be reinstated to your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT

- The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at <http://www.dhs.gov/vets>. An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/eisavers/userra.htm>.
- If you file a complaint with VETS and it is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at the address: <http://www.dol.gov/vets/programs/userra/poster.htm>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

U.S. Department of Labor - 1-866-487-2365
U.S. Department of Justice / Office of Special Counsel
Employer Support of the Guard and Reserve - 1-800-336-4590

REV. 10/2008

FED

Equal Employment Opportunity is THE LAW

and requests for receipt of genetic services by applicants, employees, or their family members.

RETALIATION
All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED
There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected.

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-469-6020 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

Employers Holding Federal Contracts or Subcontracts
Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN
Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES
Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

SEX (WAGES)
Title VII of the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

GENETICS
Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employer's acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for receipt of genetic services by applicants, employees, or their family members.

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled, recently separated, other protected, and Armed Forces Service Medal Veterans.

disability, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

RETALIATION
Retaliation is prohibited against a person who files a complaint of discrimination, participates in an EEOC proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, DC, 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

Programs or Activities Receiving Federal Financial Assistance
RACE, COLOR, NATIONAL ORIGIN, SEX
In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment or activities on the basis of sex in educational programs or activities which receive Federal financial assistance.

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

You should believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

EOC: 9/02 and OFCCP: 8/08 Versions Usable With 11/09 Supplement EEOC-P/E-1

REV. 11/2009

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

New Mexico
WORKFORCE SOLUTIONS

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 wa.hollman@state.nm.us.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

NOTICE: Employers must contact their local unemployment office or the state agency responsible for unemployment compensation to receive the official Unemployment Insurance posting. Employers 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.

NM

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 the 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
- Serious Medical Condition
- Sexual Orientation
- Gender Identity
- Sex
- 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 disposiciones 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 disposiciones 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), 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, 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

COMPLIMIENTO
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, 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 esta 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

REV. 12/2015

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	Farmington: 1-800-568-7310	Las Cruces: 1-800-870-6826	Las Vegas: 1-800-281-7889	Lovington: 1-800-934-2450	Roswell: 1-866-311-8587	Santa Fe: 1-505-841-6000

If You Need HELP Call:
Ask for an Ombudsman

Si Usted Necesita Ayuda Llame Al:

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.

New Mexico Workers' Compensation Administration
2410 Centre Avenue, Albuquerque, New Mexico 87106
P.O. Box 27198, Albuquerque, New Mexico 87125-7198

THIS POSTER HAS BEEN REPRODUCED FROM 3/15/07. It remains valid until revised and superseded all prior versions issued 3/15/03.

POST FORMS HERE

Job Health and Safety Poster

You Have a Right to a Safe and Healthful Workplace
IT'S THE LAW!

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

Employees:

- You have the right to notify your employer or OSHA about workplace hazards. You may ask OSHA to keep your name confidential.
- You have the right to request a New Mexico OSHA inspection if you believe that there are unsafe or unhealthful conditions in your workplace. You or your representative may participate in the inspection.
- 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.
- You have a right to see OSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation.
- Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
- You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.
- Your employer must post this notice in your workplace.
- You must comply with all OSHA standards issued under the OSH Act that apply to your own actions and conduct on the job.

Employers:

- Employers must furnish your employees a place of employment free from recognized hazards.
- Employers must comply with the OSHA standards issued under the OSHA Act.

The Occupational Safety and Health Act of 1970 (OSH Act), PL. 91-596, assures safe and healthful working conditions for working men and women throughout the Nation. The Occupational Safety and Health Administration, in the U.S. Department of Labor, has the primary responsibility for administering the OSHA Act. The rights listed here may vary depending on the particular circumstances. To file a complaint, report an emergency, or seek free OSHA advice and assistance, call 1-877-610-6742 or (505) 476-8700. Our fax number is (505) 476-8734. For information or assistance relative to the State Occupational Health & Safety program, please refer to the address below.

The Federal Occupational Safety and Health Administration monitors the operation of the state program to assure its continued effectiveness. Anyone wishing to register a complaint concerning the administration of the New Mexico Occupational Health and Safety Program may do so by contacting U.S. Department of Labor, Occupational Safety and Health Administration, 525 Griffin Street, Room 602, Dallas, Texas 75202 at (972) 850-4145.

NM OSHA The Best Resource for Health and Safety
El Mayor Recurso para la Salud y Seguridad
New Mexico OSHA

SITIO ADDRESS / LA DIRECCIÓN A LA AGENCIA:
525 CAMINO DE LOS MARQUEZ, STE. 3
SANTA FE, NM 87505

TELÉFONO NO./NÚMERO DE TELÉFONO:
505-476-8700 OR
1-877-610-6742

MAILING ADDRESS / DIRECCIÓN DE ENVÍO:
PO Box 5469
SANTA FE, NM 87502-5469

FAX NÚMERO/NÚMERO DE FACSIMIL:
505-476-8734

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To update your employment law posters contact J. J. Keller & Associates, Inc. JKeller.com/employment 800-327-6868

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