

New Mexico State Postings



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 1968. Additionally, the Human Rights Bureau has a working 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), are also enforced. **PROHIBITED DISCRIMINATION**

- Race
- Age
- Color
- Religion
- National Origin
- Gender
- Sexual Orientation
- Ancestry
- Physical or Mental Disability
- Genetic Information
- Marital Status
- Pregnancy Characteristics
- Military Service

Sexual harassment and harassment based on other protected categories is prohibited by the Act. The Human Rights Act prohibits discrimination in the area of employment, housing, credit, and public accommodations, and prohibits retaliation for complaining about discrimination in any of these areas, or participating in an investigation.

If you feel you have been discriminated against, contact the Human Rights Bureau by phone or visit a convenient time online at:

www.dws.state.nm.us

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 MEXICO

El Buró de Derechos Humanos impone las provisiones de la Ley de Derechos Humanos de 1968. Adicionalmente, el Buró de Derechos Humanos tiene un acuerdo de trabajo con el Comité de Igualdad de Oportunidades de Empleo (EEOC) para hacer cumplir las disposiciones de la Ley Federal de Derechos Civiles de 1964. La Ley de Discriminación por Edad de 1967 (ADEA) y la Ley de Estadísticas de Estadísticas de 1990 (ADA) también se aplican. **PROHIBIDA LA DISCRIMINACIÓN**

- Raza
- Edad
- Color
- Religión
- Origen Nacional
- Género
- Orientación Sexual
- Información Genética
- Estado Civil
- Características de Embarazo
- Servicios Militares
- Características de Embarazo
- Servicios Militares

El acoso sexual y el acoso basado en otras categorías protegidas están prohibidos por la Ley. La Ley de Derechos Humanos prohíbe la discriminación en el área de empleo, vivienda, crédito y servicios públicos, y prohíbe la represalia por quejarse o participar en una investigación.

Si usted siente que ha sido discriminado, comuníquese con el Buró de Derechos Humanos por teléfono o visite el formulario de queja por internet en:

www.dws.state.nm.us

PAID SICK LEAVE

Notice of Employee Rights
Healthy Workplaces Act • NMSA 10-1-1 to 10-1-12
Effective date: July 1, 2022

Labor Relations Division
602 Broadway, NE, Albuquerque, NM 87102
Office: (505) 841-4400 • Santa Fe: (505) 827-8838
La Jueces: (505) 828-8100

Employees must first file with the Human Rights Bureau within 300 days of the date of discrimination.

ENFORCEMENT
The New Mexico Department of Workforce Solutions Human Rights Bureau investigates complaints of discrimination and harassment in employment. Hearings, credits, and other accommodations.

Employees must first file with the Human Rights Bureau within 300 days of the date of discrimination.

For assistance in filing a complaint, or for any other information on the Human Rights Act, please call (505) 841-4400 (Toll Free) or (505) 827-8838, or visit our website at:

www.dws.state.nm.us

Human Rights Bureau
2600 Corrientes Rd
Santa Fe, NM 87505
Office: (505) 827-8838
Toll-Free: (800) 566-8471
Fax: (505) 827-8878

USE OF PAID SICK LEAVE
Employees may use up to 84 hours of earned sick leave per twelve-month period. It works enough hours. Individual employees may use a higher limit. Employees may waive when the 12-month period begins.

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.
- Care of employee's family members for treatment or diagnosis of illness, injury, or health condition, or preventative medical care.
- Medical necessity for employee's OSHA health or disability.
- Absence necessary because of and related to domestic abuse, including court-ordered protective orders, restraining orders, or any other employment action consistent with the law.

USE OF PAID SICK LEAVE
Employees must grant use of earned sick leave upon the request of an employee or an employer or an individual who is the employer's agent. When possible, the request must include the employee's request for a substitute to care during the employee's absence. An employer may not require an employee to use other paid leave before the employee's sick leave portion to the Act. The employer should notify the employee in advance when use of sick leave is not for an OSHA-related business condition. When an sick leave is not for an OSHA-related business condition, the employee may not be required to use other paid leave.

For more details, visit the full text of the law and regulations, available at:

www.dws.state.nm.us

New Mexico Minimum Wage Act

EMPLOYEE RIGHTS

MINIMUM WAGE IN NEW MEXICO

\$12 per hour as of January 1, 2023

OVERTIME PAY

After 1 1/2 times their regular hourly rate of pay for all hours worked over 40 in a workweek.

TIPPED WORKERS

Employees must pay tipped employees a hourly rate of at least \$12 per hour. If the tips plus the hourly rate do not equal at least \$12 per hour, the employer must make up the difference. Tipped employees have a right to keep all of their tips. Tip pooling may only be among wait staff.

NO SEPARATE RATE FOR STUDENTS OR MINORS

These minimum wage rates apply to all employees regardless of their age or student status.

DAMAGES

Employees 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.

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

RETALIATION PROHIBITED

It is unlawful to retaliate against an employer 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. Violations may result in civil or criminal action.

LOCAL MINIMUM WAGE RATES

Santa Fe, Santa Fe County, and Las Cruces have higher minimum wages. Santa Fe County, Albuquerque, and Las Cruces have higher tipped minimum wages.

ADDITIONAL INFORMATION

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

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 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 unhealthy 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 OSHA 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 1-877-615-6742 or (505) 476-8700 or email at Complaints.OSHA@state.nm.us. Our fax number is (505) 476-8734. For information or assistance relative to the State Occupational Health & Safety program, please refer to address to the left side of this poster.

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, 225 Griffin Street, Room 602, Dallas, Texas 75202 at (872) 850-4145.

SALUD DE TRABAJO Y CARTEL DE SEGURIDAD

Usted Tiene el Derecho a un Lugar de Trabajo Seguro y Saludable.

¡LO ESTABLECE LA LEY!

Empleados:

- Usted tiene el derecho de notificar a un empleador o a la OSHA sobre peligros en el lugar de trabajo. Usted también puede pedir que la OSHA no revele su nombre.
- 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. Usted o su representante pueden participar en esa inspección.
- Usted tiene 30 días para presentar una queja ante la OSHA de Nuevo México si su empleador le ha tomado represalias o discriminar a su contra por haber denunciado la condición de seguridad o salud o por ejercer los derechos condecorados bajo la Ley OSHA de Nuevo México.
- Usted tiene el derecho de ver las citaciones emitidas por la OSHA a su empleador. Su empleador debe colocar las citaciones en el lugar donde se encontraron las supuestas infracciones o cerca de mismo.
- Usted debe corregir los peligros en el lugar de trabajo por la fecha indicada en la citación y debe certificar que dichos peligros se hayan reducido o desaparecido.
- Usted tiene derecho a recibir copias de su historial o registro médico y el registro de su exposición a sustancias o condiciones tóxicas o dañinas.
- Su empleador debe colocar este aviso en su lugar de trabajo.
- Usted debe cumplir con todas las normas de seguridad y salud ocupacionales expedidas conforme a la Ley OSHA que sean aplicables a sus propias acciones y conducta en el trabajo.

Empleadores:

- Usted debe proporcionar a sus empleados un lugar de empleo libre de peligros conocidos.

Las normas de seguridad y salud ocupacionales expedidas conforme a la Ley OSHA.

La Ley de Seguridad y Salud Ocupacionales de 1970 (Ley OSHA), PL 91-596, garantiza condiciones ocupacionales seguras y saludables para los hombres y las mujeres que desempeñen algún trabajo en todo el Estado de Nuevo México. La Administración de Seguridad y Salud Ocupacionales (OSHA), es la responsable principal de supervisar la Ley. Los derechos que se indican en este documento pueden variar según las circunstancias particulares. Para presentar un reclamo, informar sobre una emergencia o pedir consejo o asistencia por vía de la OSHA, llame 1-877-615-6742 o (505) 476-8700 o envíe un correo electrónico a Complaints.OSHA@state.nm.us. Nuestro número de fax es (505) 476-8734.

La Administración de Seguridad y Salud Ocupacional Federal supervisa la operación del programa estatal para asegurar su efectividad. Alguien deseario registrar una queja acerca de la administración de OSHA por parte del Estado, puede hacer así por correo electrónico en contacto New Mexico Environment Department, Occupational Safety and Health Administration, 525 Griffin Street, Room 602, Dallas, Texas 75202, número de teléfono (872) 850-4145.

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

WHAT TO DO IF YOU'RE INJURED AT WORK

QUÉ HACER SI SE LESIONA EN EL TRABAJO

Notice
In most cases you must tell your employer about the accident within 15 days, using the Notice of Accident Form.

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

Claims Information
Contact your employer's Claims Representative.

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 should treat you, contact an Ombudsman. In an emergency, get emergency medical care first. If you are off work for more than seven 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.

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.

Servicios de Apoyo
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.

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

Sus Derechos
Si se lesiona 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 su salud. Si su empleador / asegurador no le ha dado instrucciones por escrito de quien es el 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 período de tiempo más largo.

Employer's Insurer / Claims Representative:
Aseguradora del Empleador / Representante de Reclamaciones:

Name: _____

Phone #: _____

Address: _____

Employer must fill in / Insurador representante informador.
El empleador debe completar la información del representante de reclamaciones.

Workers' Compensation Administration

POST FORMS HERE

NEW MEXICO

SP-NM-E

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Always Designing for People

