Your Employee Rights Under the **Family and Medical Leave Act**

You work for a public agency, such as a local, state or federal

government agency. Most federal employees are covered by

Title II of the FMLA, administered by the Office of Personnel

Follow your employer's normal policies for requesting leave.

You do not have to share a medical diagnosis but must provide

enough information to your employer so they can determine whether

the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the

Your employer may request certification from a health care provided

to verify medical leave and may request certification of a qualifying

bargaining agreement that provides greater family or medical leave

State employees may be subject to certain limitations in pursuit of

by the law but are subject to the jurisdiction of the U.S. Office of

direct lawsuits regarding leave for their own serious health conditions

Most federal and certain congressional employees are also covered

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective

· Give notice at least 30 days before your need for FMLA leave, or

How do I request 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. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take up to 12 workweeks of FMLA leave in a

The birth, adoption or foster placement of a child with you. Your serious mental or physical health condition that makes you unable to work, To care for your spouse, child or parent with a serious mental or physical health condition, and Certain qualifying reasons related to the foreign deployment of

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

leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet FMLA leave is not paid leave, but you may choose, or be required

You have the right to use FMLA leave in one block of time. When it

is medically necessary or otherwise permitted, you may take FMLA

by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need

Am I eligible to take FMLA leave?

You are an eligible employee if all of the following apply:

NEW MEXICO

Dirección de la Agencia: 525 Camino de los Marquez,

Santa Fe, NM 87505

Dirección de Correo: PO Box 5469

Número de Teléfono:

505-476-8700 or 1-877-610-6742

Mailing Address /

Telephone No./

Fax Number/

Número de Fax:

505-476-8734

You work for a covered employer You have worked for your employer at least 12 months, You have at least 1,250 hours of service for your employer during the 12 months before your leave, and Your employer has at least 50 employees within 75 miles of your

Generally, to request FMLA leave you must:

same reason when requesting additional leave.

If you are eligible for FMLA leave, your **employer** <u>must</u>: You work for a **covered employer** if **one** of the following applies: Allow you to take job-protected time off work for a qualifying You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and You work for an elementary or public or private secondary school, Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including

> Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation

shift and location, at the end of your leave

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in If advance notice is not possible, give notice as soon as possible.

> About your FMLA rights and responsibilities, and How much of your requested leave, if any, will be FMLA-protected

Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more. If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about our WHD



WH1420 REV 04/23

SCAN ME

lef.: 29 CFR §825.300

NEW MEXICO JOB HEALTH AND SAFETY POSTER You Have a Right to a Safe and Healthful Workplace

Personnel Management or Congress.

 You have the right to notify your employer or OSHA about workplace hazards. You may ask OSHA to keep your · 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

• 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 Your employer must post this notice in your workplace. • You must comply with all OSHA standards issued under the OSHAct that apply to your own actions and conduct

• 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). P.L. 91-956, 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 or email at Complaints.OSHA@env.nm.gov. Our fax number is (505) 476-8734. For information or assistance relative to the State Occupational Health & Safety

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.

PÓSTER SOBRE LA SALUD Y SEGURIDAD EN EL TRABAJO EN NUEVO MÉXICO

program, please refer to address to the left side of poster.







• Tiene derecho a notificar a su empleador o a OSHA sobre los peligros en el lugar de trabajo. Usted puede pedir a OSHA que mantenga su nombre confidencial.

Tiene el derecho a solicitar una inspección de OSHA de Nuevo México si cree que existen condiciones inseguras o insalubres en su lugar de trabajo. Usted o su representante pueden participar en la inspección. Puede presentar una queja ante OSHA de Nuevo México dentro de los 30 días siguientes a la discriminación por parte de su empleador por presentar quejas de seguridad y salud o por ejercer sus derechos bajo la Ley de Salud y Tiene derecho a ver las citaciones de OSHA emitidas a su empleador. Su empleador debe publicar las citaciones en

el lugar o cerca del lugar de la supuesta violación. • Su empleador debe corregir los peligros en el lugar de trabajo a más tardar hasta la fecha indicada en la citación y debe certificar que estos peligros han sido reducidos o eliminados. • Tiene derecho a obtener copias de su historial médico o de los registros de su exposición a sustancias o condiciones

• Su empleador debe publicar este aviso en su lugar de trabajo. • Debe cumplir con todas los estándares de OSHA emitidos bajo la Ley OSH que se aplican a sus propias acciones y

• Los empleadores deben proporcionar a sus empleados un lugar de trabajo libre de peligros reconocidos. • Los empleadores deben cumplir con los estándares de OSHA emitidos bajo la Ley de OSHA.

La Ley de Seguridad y Salud Ocupacional de 1970 (OSH Act). P.L. 91-956, asegura unas condiciones de trabajo seguras y saludables para los trabajadores y trabajadoras de todo el país. La Administración de Seguridad y Salud Ocupacional, en el Departamento de Trabajo de los Estados Unidos, tiene la responsabilidad principal de administrar la Ley OSHA. Los derechos enumerados aquí pueden variar según las circunstancias particulares. Para presentar un reclamo, informar sobre una emergencia o pedir consejos y asistencia gratis de la OSHA, llame 1-877-610-6742 or (505) 476-8700 o email Complaints.OSHA@env.nm.gov. Número de facsímil - (505) 476-8734.

La Administración Federal de Salud y Seguridad Ocupacional monitorea el funcionamiento del programa estatal para asegurar su continua eficacia. Cualquier persona que desee registrar una queja relativa a la administración del Programa de Salud y Seguridad Ocupacional de Nuevo México puede hacerlo comunicándose con el Departamento de Trabajo de los Estados Unidos, Administración de Salud y Seguridad Ocupacional, 525 Griffin Street, Room 602, Dallas, Texas 75202, teléfono (972) 850-4145.

State of New Mexico Workers' Compensation Administration

WORKERS' COMPENSATION ACT

If You Are Injured At Work Si Se Lastima En El Trabajo

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' 2) Usted tiene el derecho a información y ayuda contactándose **Compensation Administration.**

3) Claims information -- Contact your employer's Claims los Trabajadores. Representative (see box below).

1) Notice -- In most cases you must tell your employer about the 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.

> con un especialista en información conocido como "Ombudsman" en la Administración para la Compensación a

representante de reclamaciones de su compañía.

3) Información acerca de Reclamaciones. -- Contáctese con el

Employer's Insurer / Claims Representative: Phone #: Address: Note: Employer must fill in insurer / claims representative information.

YOUR RIGHTS

emergency medical care first.

If you are injured in a work-related accident:

Your employer / insurer must pay all reasonable and necessary Su empleador / asegurador debe de pagar por los gastos médicos

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

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.

Ombudsmen are located at the following offices:

Si se lastima en el trabajo:

SUS DERECHOS

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 about who chooses first, call an ombudsman. In an emergency, get 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.

1-866-967-5667 1-800-568-7310 1-505-841-6000 1-505-599-9746

Las Cruces: 1-800-934-2450

1-800-870-6826 1-575-524-6246

1-800-281-7889

1-866-311-8587

1-505-476-7381

If You Need HELP Call:

Ask for an Ombudsman

Si Usted Necesita Ayuda Llame Al:

1 - 8 6 6 - W O R K O M P (1-866-967-5667) Visit our website at: https://workerscomp.nm.gov

For 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 display this poster where your employees can read it. Post the Notice of Accident forms with it. The poster

Rev. 11/18 Ref.: NMSA Sec. 52-1-29 POST FORMS HERE

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

DISCRIMINATION is against the law. If you feel that you have been discriminated against, visit our website or contact us. Human Rights Bureau 1596 Pacheco Street, Santa Fe, NM 87505 Office: (505) 827-6838 ⋅ Toll-free: (800) 566-9471 ⋅ Fax: (505) 827-6878

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

Sexual harassment and harassment based on other protected categories is

discrimination in any of these areas, or participating in an investigation.

by phone or fill out a complaint form online at:

credit, and public accommodations.

act of discrimination or harassment.

The Human Rights Act prohibits discrimination in the areas of employment, housing,

credit, and public accommodations, and prohibits retaliation for complaining about

If you feel you have been discriminated against, contact the Human Rights Bureau

www.dws.state.nm.us

investigates complaints of discrimination and harassment in employment, housing,

Complaints must be filed with the Human Rights Bureau within 300 days of the last

www.dws.state.nm.us

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

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

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

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

www.dws.state.nm.us

Laboral de Nuevo México investiga quejas de discriminación y acoso en el empleo,

Las quejas deben ser presentadas al Buró de Derechos Humanos dentro de 300

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)

Oficina: (505) 827-6838 · Línea Gratuita: (800) 566-9471 · Fax: (505) 827-6878

PAY DAY NOTICE

☐ FRIDAY

□ SUNDAY

□ SATURDAY

□ SEMI MONTHLY

OF THE MONTH

■ MONTHLY

PAYCHECKS ARE ISSUED ON THE:

EMERGENCY NUMBERS

CALL 911

Attention

New Mexico Employers

Re: Unemployment poster

It is your responsibility as a New Mexico employer to

post the mandatory Unemployment poster. This poster is issued at the time of initial UI tax registration. For more

information, please call the New Mexico Department of

Workforce Solutions, Unemployment Insurance Customer

Service Line at 1-877-664-6984 (Option 3).

AND

PAY DAY IS ON:

□ MONDAY

□ TUESDAY

■ WEDNESDAY

PAY SCHEDULE IS:

☐ THURSDAY

□ WEEKLY

□ BIWEEKLY

POLICE:

AMBULANCE:

PHYSICIAN:

FIRE DEPARTMENT:

POISON CONTROL:

quejas en cualquiera de estas áreas, o participar en una investigación.

Humanos por teléfono o complete el formulario de quejas por Internet en:

El Buró de Derechos Humanos del Departamento de Soluciones de Fuerza

aloiamiento, el acceso al crédito, y hospedaje público

827-6838, o visite nuestra página por Internet en:

días de que ocurrió el último acto de discriminación o acoso.

DISCRIMINACIÓN es contra la ley.

LA LEY DE **DERECHOS HUMANOS DE NUEVO MÉXICO**

enmendadas. Las bases discriminatorias prohibidas incluyen:

The New Mexico Department of Workforce Solutions Human Rights Bureau

Physical or Mental Disability or

Pregnancy, Childbirth, or Related

Discapacidad Mental o Física o

Condiciones Médicas Graves

Embarazo, Parto, o Condición

Buró de Derechos Humanos

1596 Pacheco Street, Santa Fe, NM 87505

Orientación Sexual

Afiliación Nupcial

Relacionada

Religión

Identificación de Género

Serious Medical Condition

Sexual Orientation

Spousal Affiliation

Gender Identity

Religion

Condition

(ADA), all as amended. Prohibited discriminatory bases include:

NEW MEXICO HUMAN RIGHTS ACT

Color

Sex

Age

Ancestry

Gender

prohibited by the Act.

ENFORCEMENT

website at:

Rev. 7/2023

Color

Sexo

Edad

CUMPLIMIENTO

Género

Origen Nacional

Ascendencia

National Origin

EMPLOYEE RIGHTS

UNDER THE FAIR LABOR STANDARDS ACT

The law requires employers to display this poster where employees can readily see it.

FEDERAL MINIMUM WAGE

INFORMATION

civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements. Special provisions apply to workers in American Samoa, the Comm Mariana Islands, and the Commonwealth of Puerto Rico.

Some state laws provide greater employee protections; employers must comply with both. Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime Certain full-time students, student learners, apprentices, and workers with disabilities may be



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.

Employers are generally prohibited from requiring or requesting any **EXAMINEE** employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee

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

CHILD LABOR

An employee 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

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit

of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an

based on tips received by their employees. Employers must pay tipped employees a cash wage

employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equa

breast milk for their nursing child for one year after the child's birth each time the employee needs

o express breast milk. Employers must provide a place, other than a bathroom, that is shielded

in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each

willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money

from view and free from intrusion from coworkers and the public, which may be used by the

certain work hours restrictions. Different rules apply in agricultural employment.

the minimum hourly wage, the employer must make up the difference

PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express

ENFORCEMENT The Department has authority to recover back wages and an equal amount in liquidated damages

for refusing to take a test or for exercising other rights under the Act. 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 (armored 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

The law does not preempt any provision of any State or local law or any

ENFORCEMENT

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.

The Secretary of Labor may bring court actions to restrain violations and

assess civil penalties against violators. Employees or job applicants may

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

also bring their own court actions.





DAMAGES

RETALIATION

LOCAL MINIMUM

NEW MEXICO MINIMUM WAGE ACT **EMPLOYEE RIGHTS**



MINIMUM WAGE IN NEW MEXICO **\$12** *per hour* as of **January 1, 2023**

At least 1½ times your regular hourly rate of pay for all hours worked over 40 in a workweek.

TIPPED WORKERS 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

NO SEPARATE RATE FOR STUDENTS OR regardless of their age or student status. **MINORS**

underpaid wages plus interest, plus an additional amount equal to twice the underpaid wages.

PROHIBITED ENFORCEMENT The Labor Relations Division of the Department of Workforce

Solutions investigates claims and recovers back wages for employees

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

Employers must display this poster where employees can easily see it.

at 505-841-4400, or online at www.dws.state.nm.us Ref.: NMSA Sec. 50-4-25



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

This notice must be in English, Spanish, or any language that is the first

language spoken by at least ten percent of the employer's workforce, as

An employer may require reasonable documentation verifying the sick

leave was used for a covered purpose if the employee uses two or more

consecutive workdays of sick leave. Employers must treat all information

Employers must keep records documenting hours worked by employees

and earned sick leave accrued and taken by employees for four years.

employee that is reasonably likely to deter employees from exercising or attempting to exercise their rights under the Act. Employers may not

exercises their rights under the Act, or participates in investigations or

Examples of retaliation include the following: denying use or delaying

The New Mexico Department of Workforce Solutions, Labor Relations

calling (505) 841-4400, visiting www.dws.state.nm.us, or going to a New

Mexico Workforce Connections Office. Notice: The Division will disclose complainant's identity as part of the investigation. An employee's legal status for presence in the United States is not a defense to any action

Employees must file a complaint with the Division or file a civil action in a

An employer found to be in violation of the Act will be liable for damages

For more details, see the full text of the law and

regulations, available at

www.dws.state.nm.us

court within three years from the date the alleged violation occurred.

Division, enforces the Act. Any employee aggrieved by a violation of the Act may file a complaint with the Labor Relations Division by

payment of earned sick leave, termination, reducing work hours, giving

the employee undesirable assignments or scheduling, threats, discipline, counting use of earned sick leave hours as an absence that may lead to any

adverse action, or any other employment action considered less favorable.

retaliate because an employee raises concerns about violations of the Act

Employers may not take or threaten an adverse action against an

legal proceedings related to alleged violations of the Act.

obtained related to an employee taking sick leave as confidential.

Labor Relations Division

401 Broadway NE, Albuquerque, NM 87102

ACCRUAL

sick leave can carry over year-to-year The Act provides minimum requirements; other laws or employer policies may provide for more accrual, use, or carry over of earned sick leave. The Act does not preempt or override the terms of any collective

The Act applies to all employees—full-time, part-time, seasonal, and temporary. The Act also applies to employees who are salaried, tipped, or on a per-diem schedule, as well as employees paid on task, piece, or commission basis. Employees may not contract out of or agree to waive

Employees may use up to 64 hours of earned sick leave per twelvemonth period, if they work enough hours. Individual employers may set a higher limit. Employers may select when the 12-month period begins.

Used sick leave is compensated at the employee's usual hourly rate and

benefits. The hourly rate must be at least minimum wage.

REASON FOR USE OF LEAVE

Employees may use accrued sick leave for the following reasons:

condition, or preventative medical care

illness, injury, or health condition, or preventative medical care. · Meetings related to employee's child's health or disability. · Absence necessary because of and related to domestic abuse, sexual assault, or stalking suffered by the employee or their family

USE OF SICK LEAVE

Employers must grant use of earned sick leave upon the oral or written request of an employee or an individual acting on the employee's behalf. When possible, the request must include the expected duration of the absence. An employer may not condition an employee's taking earned sick leave on the employee searching for or finding a replacement worker to cover during the employee's absence. An employer may not require an employee to use other paid leave before the employee uses sick leave pursuant to the Act.

The employee should notify the employer in advance when use of sick leave is foreseeable and make a reasonable effort to schedule the leave so it does not disrupt business operations. When use of sick leave is not foreseeable, the employee must notify the employer as soon as practicable.

What Organizations are Covered?

Discharge, firing, or lay-off

Know Your Rights: Workplace Discrimination is Illegal

Obtaining or disclosing genetic information

What can You Do if You Believe Discrimination has Occurred?

Visit an EEOC field office (information at www.eeoc.gov/field-office)

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-

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 VII the primary objective of the financial assistance is provision of employment, or where complexent discrimination assesses or many paper discrimination providing.

PROGRAMS OR ACTIVITIES RECEIVING

FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex

TO REORDER CALL: 1-800-817-7678

83731 072024



WWW.COMPLIANCEPOSTER.COM



collective bargaining agreement which is more restrictive with respect to lie

OVERTIME PAY

Employers must pay tipped employees an hourly rate of at least \$3

wait staff. These minimum wage rates apply to all employees

Employers who violate the minimum wage or overtime requirements

are required to pay impacted employees the full amount of their

asserting a wage claim or for informing other employees of their

Santa Fe, Santa Fe County, and Las Cruces have higher

It is unlawful to retaliate against an employee for

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.

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

NOTICE

requested by the employee.

DOCUMENT RETENTION

RETALIATION PROHIBITED

COMPLAINT PROCESS

and/or penalties pursuant to the Act.

REASONABLE DOCUMENTATION

For more information or to file a wage claim, contact the Labor Relations Division

New Mexico Department of WORKFORCE SOLUTIONS PAID SICK LEAVE Notice of Employee Rights Healthy Workplaces Act | NMSA 50-17-1 to 50-17-12 | Effective date: July 1, 2022 Healthy Workplaces Act | NMSA 50-17-1 to 50-17-12 | Effective date: July 1, 2022

Albuquerque: (505) 841-4400 • Santa Fe: (505) 827-6838 • Las Cruces: (575) 524-6195

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

their rights under the Act.

USE OF PAID SICK LEAVE

• Employee's treatment or diagnosis of illness, injury, or health • Care of employee's family members for treatment or diagnosis of

OR SUBCONTRACTS

EMPLOYERS HOLDING FEDERAL CONTRACTS

Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of contractors from discrimination based on inquiring about, disclosing, or disc their compensation or the compensation of other applicants or employees. in play, fining benefits, about similaring, classification, referral, and other aspects of employments benefits, play, fining benefits, p

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity,