



KNOW YOUR WORKERS' RIGHTS

- ◆ All hourly employees (with some exceptions such as agricultural workers) have the right to receive minimum wage. As of January 1, 2009 the minimum wage is:
 - NM minimum wage: \$7.50
 - Albuquerque minimum wage: \$7.50 (If you do not know the minimum wage in your city, call El CENTRO).
- ◆ An employer can require an hourly employee to work overtime but must pay the rate of time-and-a-half the regular rate of the employee's pay for over 40 hours in a seven-day period.
- ◆ **You must be paid for work you have done regardless of your immigration status!**
 - If you file a successful claim against your employer for not paying you the minimum wage or overtime, your employer may have to pay you triple what you are owed.
 - You have three years to file a claim from the time when you were denied your wages.
 - By law, your employer cannot retaliate against you for filing a claim.
 - Day laborers have the right to file a claim as well.
- ◆ **If you have questions about non-payment of your wages, you are not getting paid minimum wage or over-time, or to file a complaint call the NM Department of Workplace Solutions Wage an Hour Division in Albuquerque at (505) 841-8983.**
- ◆ Regardless of your immigration status, you have the right to receive workers' compensation if you are injured during work hours or if your health deteriorates because of work-related causes. You can call the Workers' Compensation Administration for more information at (505) 924-3380.
- ◆ Everyone has the right to belong to a union. In certain situations, there are special protections for workers that do not belong to a union, but still organize to better working conditions. You have the right to participate in political protests during non-work hours.
- ◆ If you feel you have been discriminated against on the basis of race, religion, sex, country of origin, age, or disability, call the NM Department of Workplace Solutions Human Rights Division at 1800-566-9471.
- ◆ If you are an undocumented worker, you do not have the right to receive un-employment benefits.
- If you have received a Social Security No-Match letter, ask for a copy from your employer, and **DO NOT DIVULGE YOUR IMMIGRATION STATUS**. A No-Match letter is not an indication of immigration status and should not be used to re-verify your work authorization. The Social Security Administration's data base is not accessible to the Department of Homeland Security. Call El CENTRO or a labor attorney for more information.

**Have questions? Do want to meet other workers and organize to protect the rights of *all* workers?
Contact El CENTRO de Igualdad y Derechos at (505) 246-1627 or www.elcentro-nm.org**