

KNOW YOUR RIGHTS



Agricultural Workers

You have the right to:

Minimum Wage

Most agricultural workers – regardless of how they are paid – have the right to New Mexico's Minimum Wage: \$12.00/hour.

Example: Your employer pays you \$1 a bin and you picked 100 bins, so your wages were \$100. But because you worked 40 hours, you should have received \$480 (40 x \$12.00 per hour) because of the legal minimum wage. *Note: A very small number of agricultural workers are exempt from the minimum wage.*

Employers who violate the Minimum Wage are required to pay three times the amount of wages owed, plus interest.

Regardless of immigration status, you have the right to all of these laws and protections!



Worker's Compensation

Most farm owners with 3 or more employees must provide workers' compensation benefits to all of their workers. Anyone who works for a business covered by this law has the right to receive medical treatment to address workplace injuries and wage compensation.

Safe Working Conditions

In the field you must be provided with:

- Clean and cool drinking water in areas accessible to workers
- Clean and private toilets close to workers
- Hand-washing stations
- Agricultural tools that prevent you from having to stoop, kneel, or squat
- Info about what pesticides are being used and when it is safe to work after pesticide application
- Official trainings in pesticides before applying them
- Decontamination supplies if you come into contact with pesticides
- Medical care if you become sick due to pesticides

Anonymously report farmers that do not provide these working conditions! Call NM Occupational Safety Bureau: 505- 476-8724.

Enforcement of Wage-Related Rights

Workers may report to the Labor Relations Division of the N.M. Department of Workforce Solutions if their wage rights are violated. The Department investigates workers' complaints, enforces their rights, and tries to recover the wages owed.



You have the right to:

Unemployment Benefits

Many farm workers who are not working can receive unemployment benefits. Requirements:

- You are without a job through no fault of your own
- You are currently able to work
- You have the right to work in the U.S
- You are actively looking for work

You can apply by calling the N.M. Department of Workforce Solutions, Unemployment Operations Center, at (877)-664-6984.



Be Protected from Retaliation

It is illegal for employers to fire or discipline an employee in any way for demanding their rights, such as minimum wage, or for informing other employees of their rights, including the rights discussed in this sheet. **Important: If you are fired or disciplined for enforcing or telling someone about their rights, give us a call.**

Who to Contact for more info or for help enforcing your rights:

Department of Workforce Solutions, Labor Relations Division

505-841-4400

El Centro de Igualdad y Derechos

505-246-1627

Somos Un Pueblo Unido

505-424-7832

NM Immigrant Law Center

505-247-1023

NM Center on Law and Poverty

505-255-2840

