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NM Supreme Court rules that exclusion of farm and ranch laborers from workers compensation is unconstitutional

Santa Fe, NM – Today, the New Mexico Supreme Court ruled that the New Mexico Constitution prohibits the exclusion of farm and ranch laborers from the protections of the New Mexico Workers' Compensation Act (Act). In holding for the workers who challenged the Act, the Court said that the exclusion of farm and ranch laborers “is nothing more than arbitrary discrimination and, as such, it is forbidden by our Constitution.” Opinion at 2.

In its review of the history and purpose of the Act, the Court concluded that “there is no unique characteristic that distinguishes injured farm and ranch laborers from other employees of agricultural employers, and such a distinction is not essential to the Act’s purposes.” Opinion at 15.

New Mexico’s farm and ranch laborers are among the poorest of the working poor in our state, and consequently they cannot afford private health insurance. Their work is also very hazardous. Farm and ranch laborers work with heavy machinery, unpredictable animals, and encounter harsh environmental conditions. In fact, the parties to the case agreed that farm laborers engage in dangerous work. “[A]s the parties observed at oral argument, farm and ranch laborers are engaged in a risky profession where workplace accidents frequently result from inherently unpredictable working conditions.” Opinion at 43.

Reacting to the decision the New Mexico Center on Law and Poverty’s Legal Director Gail Evans remarked, “We are thrilled that New Mexico’s farm and ranch laborers have the same right to workers’ compensation as all other workers in our state.”