

**COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT
STATE OF NEW MEXICO**

JOSE OLIVAS, OCTAVIO RIOS OLIVAS,
BLAKE CAHILL, and ALVARO BRAVO, as
individuals and class representatives; EL
CENTRO DE IGUALDAD Y DERECHOS,
NM COMUNIDADES EN ACCION Y DE
FÉ, ORGANIZERS IN THE LAND OF
ENCHANTMENT, and SOMOS UN
PUEBLO UNIDO, New Mexico membership-
based organizations representing low-income
workers;

Plaintiffs,

vs.

No. D-101-CV-2017-00139

Assigned Judge: David K. Thomson

CELINA BUSSEY, Secretary of the New
Mexico Department of Workforce Solutions,
JASON DEAN, Director of the Labor
Relations Division of the Department of
Workforce Solutions; and the NEW MEXICO
DEPARTMENT OF WORKFORCE
SOLUTIONS, an executive agency;

Defendants.

DECLARATION OF SABINA ARMENDARIZ

1. My name is Sabina Armendariz. I am a class member in this lawsuit. I am also a member of *El CENTRO de Igualdad y Derechos*.

2. I have personal knowledge of the facts stated in this declaration.

3. I am providing this declaration to express my support for the settlement in this case. I am unable to appear in person to speak at the hearing on March 9 because I am scheduled to work.

4. I have personal experience with wage theft and the urgent need for strong enforcement of New Mexico's wage payment laws. Almost three years ago, my daughter, sister and I began working for a child care center called Hope Head Start in Albuquerque. Shortly after, we began to consistently experience late payments for our work. Ultimately, the lateness and lack of pay was unsustainable for us, and we had no choice but to resign in November 2016. During the two months that I was out of work, my daughter, sister, and I suffered trying to buy food and pay the bills of our house. I suffer from chronic stress. The experience of having my wages robbed exacerbated my sense of depression and anxiety, impacting my family as well.

5. In search of help collecting our wages, my family members and I went to the Department of Workforce Solutions in Albuquerque to file wage claims. From the outset we experienced problems communicating with the people in this office because they did not offer Spanish translation services. My sister and I do not speak English, and the lack of translation services and assistance required us to coordinate our visits to the Department with my daughter who is bilingual and attends college. She struggled at times translating legal terminology and was frustrated there weren't interpretation services to support us. I support the settlement because it will require the Department to provide language access services to everyone who needs them. Proper language access is essential to resolve wage theft efficiently, and it is the law.

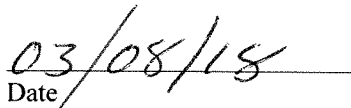
6. My family members and I are not the only employees who experienced late payments and underpayments at Hope Head Start. I am aware of other workers who have filed wage claims against this employer. The owner has made wage theft a part of her business model. I support the settlement because DWS will deploy directed investigations of companies when there is a pattern of systemic wage theft that affects many workers, instead of only focusing on

individual cases. Directed investigations will stop employers from repeatedly violating the law without consequences.

7. Though we have yet to receive full payment for our lost wages and applicable damages, we remain committed to supporting other victims of wage theft. This settlement agreement is an example of what can happen when low-wage workers organize to confront labor abuses and work to hold accountable the very government institutions entrusted with enforcing the laws. I am glad that the Department of Workforce Solutions has committed to resolving the problems of the past and will enforce the laws that protect hardworking people like me and my family.

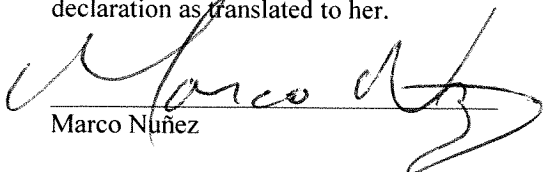
I declare under penalty of perjury under the laws of the State of New Mexico that the foregoing statement is true and correct.

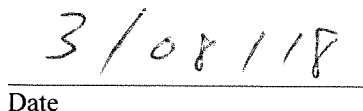

Sabina Armendariz


Date

Interpreter Statement

I hereby affirm that I speak Spanish and English fluently, and that I have translated the foregoing declaration from English to Spanish to the above-named affiant to the best of my ability. The above-named declarant indicated that she understood and agreed with the statements in this declaration as translated to her.


Marco Nuñez


Date

