

**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 ALVARO BRAVO

1. My name is Alvaro Bravo. I am a Plaintiff and Class Representative named 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 because I currently reside in Martinsville, Virginia.

4. From April 2014 to September 2015, I was employed as a janitor in Albuquerque, New Mexico for a company called Commercial Maintenance Systems. Even though I worked around 56 hours a week, my employer did not pay me the Albuquerque minimum wage or overtime wages. I estimate that my employer owes me at least \$9,000.00 in unpaid minimum and overtime wages (not including damages).

5. I tried to file a wage claim for my unpaid wages with the Labor Relations Division of the New Mexico Department of Workforce Solutions (LRD) on three separate occasions in 2016 and 2017. However, each time the LRD refused to let me file a claim and said they did not have jurisdiction to accept my claim because my claim exceeded the LRD's \$10,000 cap policy and because my unpaid wage claim went back more than one year from the date I was filing the claim.

6. I was only able to file my claim after this Court ordered the LRD to accept it in January 2017, and my claim is currently pending.

7. I support approval of the proposed settlement agreement because it requires the LRD to permanently stop enforcing its \$10,000 cap policy and one-year policy. This means my entire claim will be investigated, and other workers' cases won't be rejected for these invalid reasons in the future.

8. I also support the proposed settlement agreement because it will help workers whose wage claims the LRD rejected for invalid reasons in the past. The settlement requires the LRD to notify workers that they have a right to re-file their wage claims. It also requires the LRD to investigate all cases and enforce the law correctly.

9. I also support the settlement because it requires the LRD to give information to workers about the right to earn the minimum wage and overtime and the right to file a wage

claim at the LRD. Before I went to *EL CENTRO de Igualdad y Derechos*, I did not know about these legal protections. I believe giving workers this knowledge will help prevent wage theft.

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

Alvaro Bravo Galindo

Alvaro Bravo
603 Summit Rd
Martinsville, VA 24112
(303) 507-6598

3-3/18

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 he understood and agreed with the statements in this declaration as translated to him.

Juan A. Martinez Luna

3/3/2018

Date