

**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 OCTAVIO RIOS OLIVAS

1. My name is Octavio Rios Olivas. I am a Plaintiff and Class Representative named
in this lawsuit. I am also a member of *Somos un Pueblo Unido*.
2. I am one of the Plaintiffs in this lawsuit.
3. I reside in Santa Fe, New Mexico.
4. I have personal knowledge of the facts stated in this declaration.

5. I am providing this declaration to express my support for the settlement in this case.

6. In June 2016, I tried to file a wage claim with the Labor Relations Division (LRD) located in Santa Fe for overtime work I performed as a janitor for a company called Universal Janitorial Maintenance.

7. Although I am a monolingual Spanish speaker and legally blind, LRD did not help me fill out the claim form or provide me with any interpretation assistance. My English-speaking teenage daughter's had to fill out the claim form for me, and LRD required her to limit the dates of my claim to one year, even though I was underpaid for longer than a year.

8. Soon after filing the claim, my case was closed without an investigation into my employer by LRD.

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

10. I support the approval of the proposed settlement agreement because it requires the LRD to provide the claim form in Spanish, provide translation services to everyone who needs them, and to investigate claims for the entire time period—not just one year. This means my entire claim will be investigated and I will be able to speak to LRD about my claim in a language I understand. It also means that other people like me—who have disabilities or who do not speak English—will have equal access to the state wage claim process.

11. The agreement is just, reasonable and ensures all workers, like myself, will not experience discrimination when we file wage complaints.

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

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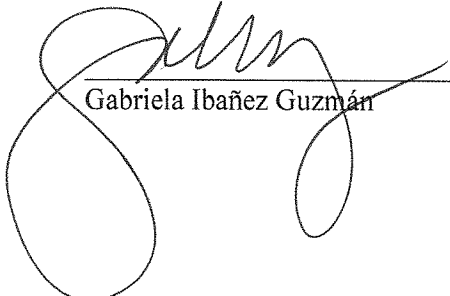
Octavio Rios Olivas

3/7/2018

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.



Gabriela Ibañez Guzmán

3/7/2018

Date