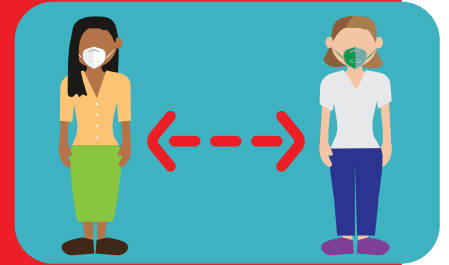


KNOW YOUR RIGHTS

Worker Health and Safety Protections

ALL workplaces in New Mexico must practice social distancing and hygiene measures, such as


- 1) providing 6 feet of distance between individuals when possible;
- 2) avoiding person-to-person contact;
- 3) making handwashing available to employees;
- 4) screening employees daily for COVID-19 symptoms before they enter the workplace; and
- 5) requiring all employees and customers to wear face coverings.





Most workers have additional protections:

Right to a Safe Workplace

Most workers in New Mexico have the right to a safe workplace. These protections do not apply to domestic workers, volunteer firefighters, and independent contractors.* Employees have these rights regardless of their immigration status.

 All employers must provide their employees with workplaces that are free of known hazards that could seriously harm their employees.

 Employers must evaluate potential hazards and determine whether personal protective equipment (PPE) is needed to protect employees. If PPE is needed, the employer must have employees use PPE that fits properly and will protect them from known hazards. Employers must provide employees with PPE at **no cost**.

 Employers must provide bathrooms that are clean and sanitary and have adequate hot and cold running water, soap or other cleaner, and towels or air dryers.



Protection from Retaliation

Employers cannot retaliate against employees for advocating for their or others' health and safety rights.

* Many employees are misclassified as independent contractors. You may contact us if you have any questions about whether you are an employee or an independent contractor.

KNOW YOUR RIGHTS

Worker Health and Safety Protections

Right to Refuse Dangerous Work

Employees have the right to refuse dangerous work if:

- ❑ they ask their employer to eliminate the danger, and the employer ignores the request;
- ❑ they genuinely believe there is an imminent danger;
- ❑ a reasonable person would agree that there is a real danger of death or serious injury; AND
- ❑ there is not enough time to correct the situation through regular enforcement channels, such as requesting an OSHA inspection



Enforcement

If your employer has violated health and safety measures or your legal rights, you can complain to the NM Occupational Safety and Health Bureau (OSHB):

- 📞 Call (505)-476-8700 and ask for a compliance officer OR
- ✉ Email Complaints.OSHA@state.nm.us



Workers have the right to make their complaint **confidential**. If a worker requests this, OSHB will withhold the worker's name from the employer.

Workers who experience retaliation have **30 days** to submit a complaint to OHSB. All other complaints must be made within six months.

Besides complaining to OSHB, you can report any business that is not implementing social distancing, hygiene measures, or other worker safety protections by emailing NMSP.COVID19@state.nm.us or calling your local law enforcement's non-emergency phone number.

Finally, you can complain to the [NM Attorney General's Office](#) by calling 1-844-255-9210.



If you believe that you contracted COVID-19 at work, you may be eligible for medical treatment and lost wages through **workers' compensation**. Notify your employer as soon as possible. For more information, call the **Workers' Compensation Administration** at 1-866-967-5667.