

**NOTICE OF MINIMUM WAGE AND EMPLOYEE RIGHTS UNDER THE
ALBUQUERQUE MINIMUM WAGE ORDINANCE EFFECTIVE
JANUARY 1, 2009**

THE MINIMUM WAGE WITHIN THE CITY LIMITS OF ALBUQUERQUE

**\$7.50 PER HOUR WITHOUT HEALTH CARE AND/OR CHILDCARE BENEFITS
\$6.50 PER HOUR WITH HEALTH CARE AND/OR CHILDCARE BENEFITS**

Health care and/or childcare benefits must meet the minimum requirements of the Albuquerque Minimum Wage Ordinance. The hourly wage shown above includes tips and commissions received by the employee.

You must qualify as an employee under the Albuquerque Minimum Wage Act in order to be entitled to the minimum wage given in this notice. An employee is any person who performs work for an employer for monetary compensation for at least two (2) hours in a given week within the municipal limits of the City on a full-time, part-time, seasonal, or temporary basis. Employee shall not include (1) any person who is excluded from the definition of employee under NMSA §§ 50-4-21(c)(3)-(5), (7) of the New Mexico Minimum Wage Act, except that persons employed by the City of Albuquerque are employees, (2) interns working for an Employer for academic credit in connection with a course of study at an accredited school, college or university or employees working for an accredited school, college or university pursuant to a work-study program while attending that school, college or university or (3) any person who has received a certificate from the state labor commissioner pursuant to § 50-4-23 NMSA 1978 or § 50-4-21-(C)(12) NMSA 1978.

**EMPLOYEE'S RIGHT UNDER THE ALBUQUERQUE MINIMUM WAGE
ORDINANCE**

Any employee receiving less than the wage to which the Employee is entitled under the Albuquerque Minimum Wage Ordinance may bring a civil action in a court of competent jurisdiction and, upon prevailing, shall recover the balance of the wages owed, including interest thereon, and an additional amount equal to twice the wages owed, including interest thereon, and an additional amount equal to twice the wages owed, and any other appropriate legal or equitable relief. Any Employee who has suffered discrimination in any manner or had adverse action taken against that Employee in retaliation for exercising rights protected under this ordinance may bring a civil action in a court of competent jurisdiction and, upon prevailing, shall recover actual damages plus reinstatement in the case of discharge subject to certain restrictions in the Albuquerque Minimum Wage Ordinance. A plaintiff prevailing in an action to enforce this ordinance shall be entitled to recover his or her costs and expenses of suit and reasonable attorney's fees.

*Section 13-12-4 ROA 1994 requires that this notice shall be posted by every employer in a conspicuous place at any workplace or job site where any employee