

WORKERS, KNOW YOUR RIGHTS DURING THE COVID-19 PANDEMIC



Employers must report workplace COVID-19 cases to the State within 4 hours. This includes employees who work from home.

When the state learns of a positive case in the workplace, state agencies deploy a "rapid response," offering guidance and support to employers around testing, disinfection and other actions that need to be taken to prevent the spread of COVID-19. Most of these rapid responses are led by the New Mexico Environment Department (NMED). **The requirement for employers to report positive COVID-19 cases among employees within four hours of being notified**, will allow NMED to more quickly respond, preventing spread among employees.

Your employer should provide paid sick leave under The Families First Coronavirus Response Act (FFCRA).

Workers at businesses with fewer than 500 employees may have **the right to two weeks of paid sick leave** if they are unable to work or telework for the following reasons:

- Are subject to a federal, state, or local government quarantine or isolation order, (such as an order advising people to stay at home or restrict non-essential travel (paid at regular rate for regular hours);
- Have been advised by a health care provider to self-quarantine (paid at regular rate for regular hours);
- Are experiencing symptoms of COVID-19 and are seeking a medical diagnosis (paid at regular rate for regular hours);
- Are caring for someone in quarantine or isolation because of a government order or doctor's advice (paid at 2/3 of regular rate); or
- Are caring for their child because school is closed or a child care provider is unavailable due to COVID-19 related reasons (paid at 2/3 of regular rate).

REPORT POSITIVE CASES:

- Email: NMENV-OSHA@state.nm.us
- Phone: 505-476-8700
- Fax: 505-476-8734

Please do not provide employee names or other personally identifiable information.

Workers also may be **entitled to 12 weeks of family leave** if they are unable to work or telework because they need to care for a child because the child's school is closed or a regular care provider is unavailable due to COVID-19 reasons.

For additional details on pay limits and requirements, visit <https://www.dol.gov/agencies/whd/pandemic/ffcra-employee-paid-leave>.

If you believe your employer is subject to this rule but refuses to provide paid leave, you can call the U.S. Department of Labor at 866-487-9243.