# Labor Law Compliance Center

# COLORADO

Labor Law Compliance Center
posters@laborlawcc.com
www.laborlawcc.com
(800) 801-0597

## **Colorado Labor Law Posters**

#### English

| Posting<br>Name & ID                                  | Posting<br>Requirements   | Published<br>Date |
|---|---|-------------------|
| Employment Security Act CO01E                         | All employers   | 05/19             |
| Minimum Wage<br>CO02E                                 | All employers   | 01/25             |
| Employment<br>Anti-Discrimination<br>CO03E            | All employers   | 07/24             |
| Public Accommodations<br>Anti-Discrimination<br>CO04E | All employers   | 07/24             |
| Housing Anti-Discrimination<br>CO05E                  | Places where real estate transfers, rentals, and loans are executed | 07/24             |
| Colorado HFWA/PHEW<br>CO06E                           | All employers   | 07/23             |
| FAMLI<br>CO07E  | All employers   | 11/22             |
| Denver, Colorado<br>Discrimination<br>CO08E           | All employers in the city of Denver                                 | 11/22             |
| Denver, Colorado Minimum<br>Wage<br>CO09E             | All employers in the city of Denver                                 | 01/24             |
| Edgewater, Colorado Minimum<br>Wage<br>CO10E          | All employers in the city of Edgewater                              | 01/25             |

## **Colorado Labor Law Posters**

#### English

| Posting<br>Name & ID                              | Posting<br>Requirements                            | Published<br>Date |
|---|--|-------------------|
| Boulder County, Colorado<br>Minimum Wage<br>CO11E | All employers within unincorporated Boulder County | 01/25             |
|   |  |                   |

## **NOTICE OF PAYDAYS**

In accordance with 8-4-107, C.R.S.:

Every employer shall post and keep posted conspicuously at the place of work if practicable, or otherwise where it can be seen as employees come or go to their places of work, or at the office or nearest agency for payment kept by the employer a notice specifying the regular paydays and the time and place of payment, in accordance with the provisions of section 8-4-103, and also any changes concerning them that may occur from time to time.

Pay periods can be no greater duration than a calendar month or 30 days, whichever is longer. Paydays must occur no later than 10 days following the close of each pay period. 8-4-103, C.R.S.

#### **EMPLOYEES ARE PAID ON REGULAR PAYDAYS AS FOLLOWS:**

| Time:  |  |  |  |
|--------|--|--|--|
|        |  |  |  |
|        |  |  |  |
|        |  |  |  |
|        |  |  |  |
| Place: |  |  |  |

This form is provided as a courtesy by the Colorado Division of Labor. Other Notice of Paydays Posters may be acceptable provided that they contain the elements and information required by 8-4-107, C.R.S.



# EMERGENCY

| AMBULANCE:      |  |
|-----------------|--|
| FIRE - RESCUE:_ |  |
| HOSPITAL:       |  |
| PHYSICIAN:      |  |
| ALTERNATE:      |  |
| POLICE:         |  |



## YOU HAVE THE RIGHT TO BE:

- Properly classified as an employee or an independent contractor
- Paid accurately and timely for the services you perform

There are resources available to you if you believe you are being subject to improper classification or inaccurate payment practices by your employer. For more information, go to WorkRight.cdle.co.

Employers are required to follow the law when paying hourly wages, overtime, and properly covering you for unemployment insurance and workers' compensation purposes. As a worker, you have certain rights as an *employee vs. independent contractor*.

Improper classification (often called misclassification) of employees as independent contractors and other labor law violations create many problems, both for law-abiding businesses and for workers in Colorado.

If you believe you have been **improperly classified** as an independent contractor and are really performing duties that fit the criteria of an employee, visit **colorado.gov/cdle/TipForm**, or call us at 303-318-9100 and select Option 4. To be classified as an employee, you must meet the criteria in Colorado Revised Statute 8-70-115. You can read the law online and find out more at **coloradoui.gov/ProperClassification**.

As an *employee*, you are entitled to unemployment insurance benefits if you become unemployed through no fault of your own. Your employer contributes to unemployment insurance and cannot deduct this from your wages.

If you become unemployed and wish to file for unemployment insurance benefits, go to **coloradoui.gov** and click on File a Claim. If your hours of work and pay are reduced, you may be entitled to partial unemployment benefits.

If you cannot access a computer, call one of the following numbers: 303-318-9000 (Denver-metro area) or 1-800-388-5515 (outside Denver-metro area); hearing impaired 303-318-9016 (TDD Denver-metro area) or 1-800-894-7730 (TDD outside Denver-metro area).

#### **EMPLOYERS ARE REQUIRED BY LAW TO POST THIS NOTICE**

Colorado Employment Security Act, 8-74-101(2); Regulations Concerning Employment Security 7.3.1 through 7.3.5 Employers can download copies of this poster at coloradoui.gov/employer, then click on Forms / Publications.





### Colorado Wage & Hour Rights & Responsibilities:

The COMPS Order (Colorado Overtime & Minimum Pay Standards) Poster & Notice

Use new version released by each December

**Effective 1/1/2025** 

Colorado Minimum Wage: \$14.81 per hour in 2025, updated yearly (COMPS Rule 3)

- Must pay at least minimum wage for all time worked, whether by hour, salary, commission, piece rate, etc.
- Use the highest minimum wage applicable; ColoradoLaborLaw.gov lists all local minimum wages
- 15% lower is allowed for unemancipated minors but not for some local minimum wages

#### Overtime: 1½ regular rate after 40 weekly hours, or 12 daily or consecutive (Rule 4)

- Can't give time off instead of overtime pay; can't average overtime and non-overtime weeks (or days)
- Agriculture: Overtime after 48 hours (56 at some highly seasonal sites); extra breaks and pay on long days
- Some (not all) jobs in health, ski, and heavy vehicles are partly or fully exempt (Rules 2.3-2.4)

#### Meal Periods: 30 minutes uninterrupted & duty-free, in shifts over 5 hours (Rule 5.1)

- Can be unpaid only for employees completely relieved of duty, and allowed do personal activities
- If work doesn't allow uninterrupted meal periods: must allow eating on duty, on paid time
- As much as practical, meal periods must be at least 1 hour after starting shifts, and 1 hour before ending

#### Rest Periods: 10 minutes, paid, every 4 hours (Rule 5.2)

| # Work Hours:  | Up to 2 | >2, up to 6 | >6, up to 10 | >10, up to 14 | >14, up to 18 | >18, up to 22 | >22 |
|----------------|---------|-------------|--------------|---------------|---------------|---------------|-----|
| #Rest Periods: | 0       | 1           | 2            | 3             | 4             | 5             | 6   |

- Need not be off-site, but must not include work, and should be in the middle of the 4 hours if practical
- Rest periods count as time worked, including for minimum wage and overtime
- Extra pay is owed for rest period time not authorized or permitted, including for employees not paid hourly
- Break rules differ for some agricultural work (Rule 2.3, & the Agricultural Labor Conditions Rules)

#### Deductions, Credits, Charges, & Withheld Pay (Rule 6, & Colorado Wage Act)

- Final pay: Owed promptly (if a termination by employer) or at next pay date (if employee resigned)
- Unused vacation: Must pay to departing employees, even if fired for cause or resigned without notice
- Tip credit: Can lower hourly pay up to \$3.02 if tips (not service charges) aren't diverted to untipped staff
- Meals: Can charge cost or value (without profit) of voluntarily accepted meals
- Lodging: Can charge \$25-\$100 weekly (by housing type) if voluntary and primarily for employee benefit
- Uniforms: Can't charge or require deposits for special uniforms, special cleaning, or ordinary wear and tear
- Other deductions: Only for items in CRS 8-4-105; not for poor work, breakage, guitting without notice, etc.

#### Time Worked: All on-duty or on-premises time that must be paid (Rule 1.9)

- Cleanup or setup (examples: put on or remove clothes, or gear, worn only at work)
- Checking in or out (timeclock, security or safety screening, etc.), or waiting to do so
- Receiving or sharing work information, or wait for tasks but not just off-duty time on premises
- Travel for employer benefit but not normal commuting (Rule 1.9.2)
- Sleep time required to be on-site but not if lengthy and uninterrupted (Rule 1.9.3)

#### **Exemptions from COMPS** (Rule 2.2 lists all; highlights below)

- Executive/supervisor, administrator, or professional: \$56,485 (updated yearly) in salary (not hourly pay)
- Other high-level work: non-manual jobs paid 21/4 times the above salary; 1/5 owners who actively manage
- Some (not all) salespeople, computer professionals, drivers, camp/outdoor ed staff, or property managers
- Duties to pay wages, including most limits on deductions, still apply if exempt from COMPS

#### Employer Responsibilities (Rule 7)

- Give employees pay statements (total pay, rate, tips, credits, and time worked), and keep for 3 years
- Display this poster/notice where easily seen (or give to employees); also include in any handbook/manual
- Use translations (available from this Division) of this poster/notice for employees with limited English
- Not giving (or undercutting) posters or notices may disallow employer credits, deductions, or exemptions
- Individuals with control over work may be liable for wages and violations, even at incorporated employers

#### Complaint & Anti-Retaliation Rights (Rule 8)

- File complaints in the Division or Court, or send the Division confidential tips
- Retaliation, or actions interfering with rights, may yield fines or other consequences
- Immigration status is irrelevant to these rights, and can't be used to interfere with rights

#### **Contact Us:**

#### **DIVISION OF LABOR STANDARDS & STATISTICS**

303-318-8441 / 888-390-7936 / cdle\_labor\_standards@state.co.us (English or Spanish)

For all laws. quidance. & complaints:

ColoradoLaborLaw.gov

Spanish guidance & complaints:

LevesLaboralesDeColorado.gov

This notice in other languages:



cdle.colorado.gov/LaborStandardsPosters





# Colorado Law Prohibits Discrimination in: EMPLOYMENT

C.R.S. § 24-34-401 et seq.

#### IT SHALL BE A DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE:

to REFUSE TO HIRE, to DISCHARGE, to PROMOTE or DEMOTE, to HARASS during the course of employment, or to discriminate IN MATTERS of COMPENSATION, TERMS, CONDITIONS, or PRIVILEGES of employment.

#### **BECAUSE OF:**

DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, GENDER EXPRESSION, RELIGION, AGE, NATIONAL ORIGIN or ANCESTRY, MARITAL STATUS, or, in certain circumstances, MARRIAGE TO A COWORKER.

#### **REASONABLE ACCOMMODATIONS FOR DISABILITIES:**

An employee with a disability is entitled to a reasonable accommodation(s) which is necessary to perform the essential functions of the job. An accommodation is not reasonable if its provision would result in an undue hardship on the employer's business.

#### PREGNANT WORKERS FAIRNESS ACT - C.R.S. § 24-34-402.3

An employee with a health condition(s) related to pregnancy or physical recovery from childbirth is entitled to a reasonable accommodation(s) necessary to perform the essential functions of the job. An accommodation is not reasonable if its provision would result in an undue hardship on the employer's business.

#### RETALIATION PROHIBITED — C.R.S. § 24-34-402(e)

It is a discriminatory act to retaliate against a person who opposes a discriminatory practice or who participates in a discrimination investigation, proceeding or hearing.

#### SHARING WAGE INFORMATION PROTECTED — C.R.S. § 24-34-402(i)

An employer shall not discharge, discipline, discriminate against, coerce, intimidate, threaten, or interfere with an employee or person due to an inquiry, disclosure or discussion of wages. An employer shall not require an employee to waive the right to disclose wage information.

#### **CROWN Act of 2020:**

Discrimination on the basis of one's race includes hair texture, hair type, hair length or a protective hairstyle commonly or historically associated with race, such as braids, locs, twists, tight coils or curls, cornrows, Bantu knots, Afros, and headwraps. eff. 6/3/24.

TO FILE A COMPLAINT OF DISCRIMINATION, OR FOR MORE INFORMATION CONTACT
THE COLORADO CIVIL RIGHTS DIVISION; 1560 BROADWAY, LOBBY WELCOME CENTER,
SUITE # 110, DENVER, CO 80202

MAIN PHONE: 303-894-2997; HOTLINE ESPANOL: 720-432-4294; TOLL-FREE: 800-262-4845; V/TTD RELAY: 711; FAX: 303-894-7830; EMAIL: DORA\_CCRD@STATE.CO.US

EMPLOYMENT DISCRIMINATION COMPLAINTS MUST BE FILED WITHIN 300 DAYS AFTER THE ALLEGED DISCRIMINATORY ACT OCCURRED.





# Colorado Law Prohibits Discrimination in places of: PUBLIC ACCOMMODATION

C.R.S. § 24-34-601 et seq.

#### PLACE OF PUBLIC ACCOMMODATION MEANS:

ANY PLACE OF BUSINESS engaged in any SALES to the PUBLIC and ANY PLACE OFFERING SERVICES, FACILITIES, PRIVILEGES, ADVANTAGES, or ACCOMMODATIONS to the PUBLIC.

#### IT IS A DISCRIMINATORY PRACTICE AND UNLAWFUL FOR A PERSON DIRECTLY OR INDIRECTLY TO:

REFUSE, WITHHOLD FROM, or DENY to an individual or a group FULL and EQUAL ENJOYMENT of the GOODS, SERVICES, FACILITIES, PRIVILEGES, ADVANTAGES, or ACCOMMODATIONS of a place of public accommodation

**BECAUSE OF:** DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, GENDER EXPRESSION, MARITAL STATUS, NATIONAL ORIGIN or ANCESTRY.

#### **SERVICE ANIMALS C.R.S. § 24-34-803:**

SERVICE ANIMAL DESIGNATION IS LIMITED TO A DOG OR MINIATURE HORSE — EMOTIONAL SUPPORT ANIMALS ARE NOT SERVICE ANIMALS

THE DOG MUST BE INDIVIDUALLY TRAINED TO PERFORM TASK(S) OR WORK RELATED TO A DISABILITY.

THE MERE PRESENCE OF THE DOG MEANT TO PROVIDE EMOTIONAL SUPPORT/THERAPY/ AND/OR COMPANIONSHIP

IS NOT SUFFICIENT TO MEET THE DEFINITION OF A SERVICE ANIMAL.

AN ENTITY MAY NOT REQUIRE OR REQUEST A LICENSE, REGISTRATION, OR OTHER DESIGNATION CONFIRMING STATUS
AS A SERVICE ANIMAL. AN ENTITY MAY MAKE THE FOLLOWING INQUIRIES:

1.) IS THIS DOG A SERVICE ANIMAL TRAINED TO PERFORM A TASK(S) OR WORK RELATED TO A DISABILITY?

2.) WHAT IS THE TASK OR WORK THE DOG IS TRAINED TO PERFORM?

A SERVICE ANIMAL MUST BE <u>UNDER THE CONTROL</u> OF ITS HANDLER AT ALL TIMES. THE HANDLER IS RESPONSIBLE FOR THE CARE OF THE SERVICE ANIMAL, INCLUDING <u>TOILETING</u>, FEEDING, AND OTHERWISE CARING FOR THE DOG.

A SERVICE ANIMAL MAY BE DENIED ENTRY IF ITS PRESENCE WOULD RESULT IN A FUNDAMENTAL ALTERATION OF THE NATURE OF THE ENTITIES' OPERATIONS AND/OR MAINTENANCE OF A STERILE ENVIRONMENT. THE MERE PRESENCE OF A SERVICE ANIMAL IS NOT GROUNDS FOR A VIOLATION OF THE HEALTH CODE. SERVICE ANIMALS MUST BE ALLOWED IN DINING AREAS AND IN SELF SERVICE FOOD LINES. AN ENTITY MAY NOT CHARGE FEES FOR ALLOWING A SERVICE ANIMAL TO BE PRESENT.

#### **RETALIATION PROHIBITED:**

A PERSON WHO OPPOSES DISCRIMINATION, OR WHO PARTICIPATES IN THE INVESTIGATION OF DISCRIMINATION HAS ENGAGED IN PROTECTED ACTIVITY AND RETALIATION FOR ENGAGING IN A PROTECTED ACTIVITY IS PROHIBITED BY COLORADO LAW.

## COLO. CIVIL RIGHTS COMM'N RULE 20.4 — DISCRIMINATORY SIGNAGE IN PLACES OF PUBLIC ACCOMMODATION:

No person shall post or permit to be posted in any place of public accommodation any sign which states or implies the following: "WE RESERVE THE RIGHT TO REFUSE SERVICE TO ANYONE" -3CCR708-1

#### CROWN Act of 2020:

Discrimination on the basis of one's race includes hair texture, hair type, hair length or a protective hairstyle commonly or historically associated with race, such as braids, locs, twists, tight coils or curls, cornrows, Bantu knots, Afros, and headwraps. eff. 6/3/24.

TO FILE A COMPLAINT OF DISCRIMINATION, OR FOR MORE INFORMATION CONTACT THE COLORADO CIVIL RIGHTS DIVISION; 1560 BROADWAY, LOBBY WELCOME CENTER, SUITE #110, DENVER, CO 80202

MAIN PHONE: 303-894-2997; HOTLINE ESPANOL: 720-432-4294; TOLL-FREE: 800-262-4845; V/TTD RELAY: 711; FAX: 303-894-7830; EMAIL: DORA\_CCRD@STATE.CO.US

PUBLIC ACCOMMODATION DISCRIMINATION COMPLAINTS MUST BE FILED WITHIN SIXTY (60) DAYS AFTER THE ALLEGED DISCRIMINATORY ACT OCCURRED.



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# Colorado Law Prohibits Discrimination in: HOUSING

C.R.S. § 24-34-501 et seq.

#### IT SHALL BE A DISCRIMINATORY OR UNFAIR HOUSING PRACTICE:

For any person to REFUSE TO SHOW, SELL, TRANSFER, RENT, or LEASE, or REFUSE to RECEIVE and TRANSMIT any bona fide offer to buy, sell, rent, or lease, or OTHERWISE MAKE UNAVAILABLE or DENY or WITHHOLD FROM any person housing; or to discriminate in the TERMS, CONDITIONS, or PRIVILEGES pertaining to any housing.

#### **BECAUSE OF:**

DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, GENDER EXPRESSION, RELIGION, MARITAL STATUS, FAMILIAL STATUS, NATIONAL ORIGIN or ANCESTRY, SOURCE OF INCOME, **VETERANS OR MILITARY STATUS** 

#### **REASONABLE ACCOMMODATIONS FOR DISABILITIES:**

A person with a disability is entitled to a reasonable accommodation(s) and/or modification which is necessary to allow the person full and equal enjoyment of housing. An accommodation is not reasonable if its provision would result in an undue financial and administrative burden or a fundamental alteration of the housing provider's operation.

#### **ASSISTANCE ANIMALS:**

Assistance animals include service animals and emotional support animals and are one form of a reasonable accommodation in housing. A person with a disability may request, as a reasonable accommodation, an exception to a no pet policy, or a policy that would otherwise prohibit their assistance animal from residing in their home.

Service animals are designated as a dog or miniature horse that are individually trained to perform task(s) or work related to a disability. Examples include a guide dog or medical alert dog.

Emotional support animals may be any type of animal that provides a therapeutic effect to alleviate a mental impairment.

#### **RETALIATION PROHIBITED:**

It is a discriminatory act to retaliate against a person who opposes a discriminatory practice or who participates in a discrimination investigation, proceeding or hearing.

#### CROWN Act of 2020:

Discrimination on the basis of one's race includes hair texture, hair type, hair length or a protective hairstyle commonly or historically associated with race, such as braids, locs, twists, tight coils or curls, cornrows, Bantu knots, Afros, and headwraps. eff. 6/3/24.



CCRD IS A FAIR HOUSING ASSISTANCE PROGRAM (FHAP)AND PARTNERS WITH HUD IN THE ENFORCEMENT OF FAIR HOUSING LAWS.

TO FILE A COMPLAINT OF DISCRIMINATION, OR FOR MORE INFORMATION CONTACT THE COLORADO CIVIL RIGHTS DIVISION; 1560 BROADWAY, LOBBY WELCOME CENTER, **SUITE # 110, DENVER, CO 80202** 

MAIN PHONE: 303-894-2997; HOTLINE ESPANOL: 720-432-4294; TOLL-FREE: 800-262-4845; V/TTD RELAY: 711; FAX: 303-894-7830; EMAIL: DORA\_CCRD@STATE.CO.US

HOUSING DISCRIMINATION COMPLAINTS MUST BE FILED WITHIN ONE (1) YEAR AFTER THE ALLEGED DISCRIMINATORY ACT OCCURRED.

#### **Colorado Workplace Public Health Rights Poster:** PAID LEAVE, WHISTLEBLOWING, & PROTECTIVE EQUIPMENT

Updated July 14, 2023 may be updated periodically

#### THE HEALTHY FAMILIES & WORKPLACES ACT ("HFWA"): Paid Leave Rights

#### Coverage: All Colorado employers, of any size, must provide paid leave

- All employees earn 1 hour of paid leave per 30 hours worked ("accrued leave"), up to 48 hours a year.
- Employees are required to be paid their regular pay rate during leave, and the employer must continue their benefits.
- Up to 48 hours of unused accrued leave carries over for use during the next year.
- For details on specific situations (irregular hours, non-hourly pay, etc.), see Wage Protection Rule 3.5, 7 CCR 1103-7.
- Up to 80 hours of supplemental leave applies in a public health emergency (PHE), until 4 weeks after the PHE ends.\*

#### Employees can use accrued leave for the following safety or health needs:

- (1) a mental or physical illness, injury, or health condition that prevents work, including diagnosis or preventive care;
- (2) domestic abuse, sexual assault, or criminal harassment leading to health, relocation, legal, or other services needs;
- (3) caring for a family member experiencing a condition described in category (1) or (2);
- (4) grieving, funeral/memorial attendance, or financial/legal needs after a death of a family member;
- (5) due to inclement weather, power/heat/water loss, or other unexpected occurrence, the employees needs to either (a) evacuate their residence, or (b) care for a family member whose school or place of care was closed; or
- (6) in a PHE, a public official closed the workplace, or the school or place of care of the employee's child.

#### **Employer Policies (Notice: Documentation: Incremental Use: Privacy: and Paid Leave Records)**

- Written notice and posters. Employers must (1) provide notice to new employees no later than other onboarding documents/policies; and (2) display updated posters, and provide updated notices to current employees, by end of year.
- Notice for "foreseeable" leave. Employers may adopt "reasonable procedures" in writing as to how employees should provide notice if they require "foreseeable" leave, but cannot deny paid leave for noncompliance with such a policy.
- An employer can require documentation to show that accrued leave was for a qualifying reason only if leave was for four or more consecutive work days (i.e. days when an employee would have worked, not calendar days).
- Documentation is not required to take accrued leave, but can be required as soon as an employee returns to work or separates from work (whichever is sooner). No documentation can be required for PHE leave.
- To document leave for an employee's (or an employee's family member's) health-related need, an employee may provide: (1) a document from a health or social services provider if services were received and a document can be obtained in reasonable time and without added expense; otherwise (2) the employee's own writing.
- Documentation as to domestic abuse, sexual assault, or criminal harassment can be a document or writing under (1) above (e.g. legal or shelter services provider) or (2) above, or legal document (restraining order, police report, etc.).
- If an employer reasonably deems an employee's documentation deficient, the employer must: (A) notify the employee within seven days of either receiving the documentation or the employee's return to work or separation (whichever is sooner), and (B) give the employee at least seven days to cure the deficiency.
- Incremental Use. Depending on employer policy, employees can use leave in either hourly or six-minute increments.

- Employee Privacy. Employers cannot require employees to disclose "details" about an employee's (or their family's) HFWA-related health or safety information; such information must be treated as a confidential medical record.
- Records must be retained and provided upon request. Employers must provide documentation of the current amount of paid leave employees have (1) available for use, and (2) already used during the current benefit year, including any supplemental PHE leave. Information may be requested once per month or when the need for HFWA leave arises.

#### **Retaliation or Interference with HFWA Rights**

- Paid leave cannot be counted as an "absence" that may result in firing or another kind of adverse action.
- An employee can't be required to find a "replacement worker" or job coverage when taking paid leave.
- An employer cannot fire, threaten, or otherwise retaliate against, or interfere with use of leave by, an employee who: (1) requests or takes HFWA leave; (2) informs or assists another person in exercising HFWA rights; (3) files a HFWA complaint; or (4) cooperates/assists in investigation of a HFWA violation.
- If an employee's reasonable, good-faith HFWA complaint, request, or other activity is *incorrect*, an employer need not agree or grant it, but cannot act against the employee for it. Employees can face consequences for misusing leave.

#### PROTECTED HEALTH/SAFETY EXPRESSION & WHISTLEBLOWING ("PHEW"): Worker Rights to Express Workplace Health/Safety Concerns & Use Protective Equipment

#### Coverage: All Employers and Employees, Plus Certain Independent Contractors

• PHEW covers not just "employers" and "employees," but all "principals" (an employer or a business with at least 5 independent contractors) and "workers" (employees or independent contractors working for a "principal").

#### Worker Rights to Oppose Workplace Health/Safety Violations:

- It is unlawful to **retaliate against**, **or interfere with**, the following acts:
- (1) raising reasonable concerns, including informally, to the principal, other workers, the government, or the public, about workplace violations of government health or safety rules, or a significant workplace health or safety threat;
- (2) opposing or testifying, assisting, or participating in an investigation or proceeding about retaliation for, or interference with, the above-listed conduct.
- A principal need not address a worker's PHEW-related concern, but it still cannot fire or take other action against the worker for raising such a concern, as long as the concern was reasonable and in good-faith.

#### Workers' Rights to Use Their Own Personal Protective Equipment ("PPE"):

• A worker must be allowed to voluntarily wear their own PPE (mask, faceguard, gloves, etc.) if the PPE (1) provides more protection than equipment provided at the workplace, (2) is recommended by a government health agency (federal, state, or local), and (3) does not make the worker unable to do the job.

#### **COMPLAINT RIGHTS (under both HFWA & PHEW)**

• Report violations to the Division as complaints or anonymous tips, or file in court after exhausting pre-lawsuit remedies.

This Poster summarizes two Colorado workplace public health laws: C.R.S. § 8-13.3-401 et seq., (paid leave), and C.R.S. § 8-14.4-101 et seq. (healthy and safety whistleblowing) including amendments current as of the date of this poster. It does not cover other health or safety laws, rules, and orders, including under the federal Occupational Safety and Health Act (OSHA), from the Colorado Department of Public Health and Environment (CDPHE), or from local public health agencies. Contact those agencies for such health and safety information.

\*In a PHE, employees gain additional hours of leave for inability to work, testing, quarantining, caring for family in such situations, and related needs. No PHE is now in effect; this poster will be updated if one is declared.

This poster must be displayed where easily accessible to workers, shared with remote workers, provided in other languages as needed, and replaced with any annually updated versions.

This Poster is a summary and cannot be relied on as complete labor law information. For all rules, fact sheets, translations, questions, or complaints, contact: DIVISION OF LABOR STANDARDS & STATISTICS, ColoradoLaborLaw.gov, cdle labor standards@state.co.us, 303-318-8441 / 888-390-7936.



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#### 2023 FAMLI Program Notice

#### Deductions from Employee Wages start January 1, 2023

- The employee share of FAMLI premiums is set at 0.45% of employee wages through 2024. For 2025 and beyond, the director of the
  FAMLI Division sets the premium rate according to a formula based on the monetary value of the fund each year. Employers with ten or
  more employees must also contribute an additional 0.45% of wages for a total of 0.9%, but employers with nine or fewer employees are only
  responsible for the 0.45% employee share.
- Employers are not required to deduct FAMLI contributions from employees' wages. However, starting in 2023, employers are allowed to deduct up to 0.45% from employees' wages for FAMLI contributions. For every \$100.00 an employee makes, an employer may deduct up to \$0.45.

#### Benefits start January 1, 2024

- Starting in 2024, paid family and medical leave benefits are available to most Colorado employees who have a qualifying condition and who earned \$2,500 over the previous year for work performed in Colorado.
- The qualifying conditions for paid family and medical leave are:
  - · Caring for a new child during the first year after the birth, adoption, or foster care placement of that child.
  - Caring for a family member with a serious health condition.
  - · Caring for your own serious health condition.
  - Making arrangements for a family member's military deployment.
  - Obtaining safe housing, care, and/or legal assistance in response to domestic violence, stalking, sexual assault, or sexual abuse.
- Covered employees are entitled to up to 12 weeks of paid family and medical leave per year. Individuals with serious health conditions caused by pregnancy complications or childbirth complications are entitled to up to 4 more weeks of paid family and medical leave per year for a total of 16 weeks.
- Leave may be taken continuously, intermittently, or in the form of a reduced schedule.
- Leave will be paid at a rate of up to 90% of the employee's average weekly wage, based on a sliding scale. Employees may estimate their benefits by using the benefits calculator available at famli.colorado.gov.
- · You don't have to work for your employer a minimum amount of time in order to qualify for paid family and medical leave benefits.
- If FAMLI leave is used for a reason that also qualifies as leave under the federal FMLA, then the leave will also count as FMLA leave used.
- Employees may choose to use sick leave or other paid time off before using FAMLI benefits, but they are not required to do so.
- Employers and employees may mutually agree to supplement FAMLI benefits with sick leave or other paid time off in order to provide full
  wage replacement.

#### Filing Claims

- Employees will not be able to file for benefits until the last quarter of 2023. Benefits will be available starting January 2024. Instructions on how to apply for benefits will be available on famili.colorado.gov in the last quarter of 2023.
- Employees or their designated representatives apply for FAMLI benefits by submitting an application, along with required documentation, directly to the FAMLI Division. Employers cannot make employees apply for FAMLI benefits.
- Applications may be submitted in advance of the absence from work, and in some circumstances, they may be submitted after the absence
  has begun.
- Approved applications will be paid by the FAMLI Division within two weeks after the claim is properly filed, and every two weeks thereafter
  for the duration of the approved leave.
- Employees can appeal claim determinations to the FAMLI Division.
- Individuals who attempt to defraud the FAMLI program may be disqualified from receiving benefits.

#### Job protection and continued benefits

- Employers must maintain health care benefits for employees while they are on FAMLI leave, and both the employer and the employee remain responsible for paying for those benefits in the same amounts as before the leave began.
- An employee who has worked for the employer for at least 180 days is entitled to return to the same position, or an equivalent position, upon their return from FAMLI leave.

#### Retaliation, Discrimination, and Interference Prohibited

- Employers may not interfere with employees' rights under FAMLI, and may not discriminate or retaliate against them for exercising those rights.
- Employees who suffer retaliation, discrimination, or interference may file suit in court, or may file a complaint with the FAMLI Division.

#### Other Important Information

- An employer may offer a private plan that provides the same benefits as the state FAMLI plan, and imposes no additional costs or restrictions. Private plans must be approved by the FAMLI Division.
- Employees and employers are encouraged to report FAMLI violations to the FAMLI Division.







#### CITY AND COUNTY OF DENVER

This establishment is subject to the provisions of Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, et seq., as amended, and the City and County of Denver's Anti-Discrimination Ordinance (Chapter 28, Article IV, § 28-91, et seq.) which prohibits discrimination based on:

Race, Color, Religion, National Origin, Ethnicity, Citizenship, Immigration Status, Gender, Age, Sexual Orientation, Gender Identity, Gender Expression, Marital Status, Marital Status, Source of Income, Protective Hairstyles, Military Status, or Disability.

#### Discrimination is prohibited in the areas of:

- **Employment**
- Housing and Commercial Space
- Public Accommodations
- Private Educational Institutions
- Private Health and Welfare Services

Complaints of possible violations may be filed with
Denver's Anti-Discrimination Office,
Agency for Human Rights and Community Partnerships
201 West Colfax Avenue, Dept. 1102
Denver, CO 80202

Phone: (720) 913-8458 Video Phone: (720) 458-8486

darius.smith@denvergov.org www.denvergov.org/discrimination



# Wage Theft is Illegal El robo de salarios es ilegal

Denver Auditor's Office and Denver Labor

Oficina del Auditor de Denver y Denver Labor





# **Minimum** wage is \$18.29 per hour

**Civil wage theft:** Receive the pay you earned.

Everybody deserves the wages they've earned. If you weren't paid the wages you are owed or you

earned less than the wages required by the law, we can help. Civil wage theft is a crime.

The Denver minimum wage and civil wage theft ordinances protect all who work in the City and County of Denver, regardless of immigration status. If you were not paid at least the minimum wage or you were not paid the wages you earned, contact us today.

DenverGov.org/WageTheft or call 720-913-WAGE (9243) to begin an investigation.

TIMOTHY M. O'BRIEN, **CPA, DENVER AUDITOR** 

# El salario mínimo es de **\$18.29 por hora**

Robo de salarios en el ámbito civil: reciba la paga que ganó con su trabajo

Todas las personas merecen recibir el dinero que ganaron con su trabajo. Si no recibió la paga que le deben o si ganó menos del salario que exige la ley, podemos ayudarle. El robo de salarios en el ámbito civil es un delito.

Las ordenanzas de salario mínimo y de robo de salarios en el ámbito civil de Denver protegen a todas las personas que trabajan en

la Ciudad y el Condado de Denver, independientemente de su estatus inmigratorio. Contáctenos hoy mismo si no le pagaron al menos el salario mínimo o si no recibió los sueldos que ganó con su trabajo.

> Visite DenverGov.org/WageTheft o llame al 720-913-WAGE (9243) para comenzar una investigación.



Call: 720-913-WAGE (9243)



Email: wagecomplaints@denvergov.org



Web: DenverGov.org/WageTheft





#### City-Wide Minimum Wage Schedule

On April 18, 2023, Edgewater City Council passed Ordinance 2023-07, AN ORDINANCE ESTABLISHING A LOCAL MINIMUM WAGE REQUIREMENT AND PENALTIES, REMEDIES AND ENFORCEMENT RELATED THERETO.

#### **Edgewater Minimum Wage Rates**

The below figures show a framework for the citywide minimum wage rate. The concept is to look at a five-year increase of an Edgewater citywide minimum wage to catch up and level off with Denver's citywide minimum wage.

Rates for 2024, 2025, 2026, 2027 and 2028 have been approved. 2029 rates will be determined based on the Denver Minimum wage.

| Minimum Wage Table          | 2023     | 2024     | 2025     | 2026     | 2027     | 2028     |
|-----------------------------|----------|----------|----------|----------|----------|----------|
| Proposed Edgewater Wage     | \$13.65  | \$15.02  | \$16.52  | \$18.17  | \$19.99  | \$21.99  |
|                             |          |          |          |          |          |          |
| Proposed Tipped Worker Wage | \$10.63* | \$12.00* | \$13.50* | \$15.15* | \$16.97* | \$18.97* |

\* Hourly wage for tipped worker based on State mandated \$3.02 tip credit.

"IT IS AGAINST THE LAW TO PAY WAGES BELOW THE EDGEWATER MINIMUM WAGE.

COMPLAINTS THAT A VIOLATION OF THIS LAW HAVE OCCURRED MAY BE FILED WITH THE CITY OF EDGEWATER BY CALLING (720) 763-3002; EMAILING CITYCLERK@EDGEWATERCO.COM; OR COMING TO THE EDGEWATER CIVIC CENTER AT 1800 HARLAN STREET TO REQUEST AN APPOINTMENT.

For more information about Edgewater's Minimum Wage, please visit www.edgewaterco.com





# Unincorporated Boulder County Minimum Wage

POST WHERE EMPLOYEES MAY READ EASILY
- VIOLATORS SUBJECT TO PENALTIES -

# **\$16.57 per Hour**

### **Effective January 1, 2025**

To respond to the needs of unincorporated Boulder County's lowest paid workers in the face of the rising cost of living, the Boulder County Commissioners unanimously passed the county's local minimum wage ordinance in November 2023. Through a series of annual increases, the minimum wage for unincorporated Boulder County will rise to \$25 by 2030.

This year's minimum wage was increaded to allow any jurisdiction within Boulder County that is implementing a local minimum wage this year to align closer to neighboring Denver, who also has increased their minimum wage above the state minimum wage.

In 2019, the legislature for Colorado granted local governments the legal ability to adopt local minimum wages specific to their jurisdiction, and encouraged jurisdictions to do so. The adoption of the local minimum wage for Boulder County was the result of feedback from an online survey and sharing the results of said survey, a town hall meeting, and lastly a public hearing on November 2, 2023.

If you have any questions regarding the minimum wage, or believe you are not paid at or above the minimum wage within Boulder County, contact your employer or the Commissioners' Office whose contact is listed below.

# Boulder County, Colorado Commissioners' Office

Email: commissioners@bouldercounty.gov

Phone: 303-441-3500

Website: https://bouldercounty.gov/government/elected-officials/commissioners/

Revised November 5, 2024

Labor Law Complia