

## Minimum Wage

Department of Labor and Employment, Division of Labor Standards & Statistics  
**COLORADO OVERTIME & MINIMUM PAY STANDARDS ORDER (“COMPS Order”) #38, POSTER & NOTICE**  
 Division of Labor Standards & Statistics

*Effective 1/1/22; most update annually; new poster available each mid-December*

**Colorado Minimum Wage: \$13.65/hour, or \$10.63 for Tipped Employees, in 2023 (Rule 3)**

- The minimum wage is adjusted each year for inflation, so the above amounts are for early 2023.
- All employees must be paid at least the minimum wage (unless exempt in Rule 2), whether paid hourly or another way (salary, commission, piecework, etc.), except unemancipated minors can be paid 15% under full minimum wage.
- Use the highest standard if other labor laws also apply, such as Denver’s minimum wage (\$17.29 in 2023).

**Overtime: 1½ times regular pay rates for hours over 40 weekly, 12 daily, or 12 consecutive (Rule 4)**

- Overtime is required each week over 40 hours, or day over 12, even if 2 or more weeks or days average fewer hours.
- Employers cannot provide time off (“comp time”) instead of time-and-a-half premium pay for overtime hours.
- Key variances/exceptions (all as detailed in Rules 2.3-2.4):
  - Modified overtime in a small number of health care jobs; exemption for certain heavy vehicle drivers.
  - No 40-hour weekly overtime in downhill ski/snowboard jobs (but 56-hour overtime for many under federal law).
  - Agriculture, as of 11/17/22: overtime after 60 hours; half-hour paid break in days over 12 hours, extra pay if over 15.

**Meal Periods: 30 minutes uninterrupted and duty-free, for shifts over 5 hours (Rule 1.5)**

- Can be unpaid, but only if employees are completely relieved of all duties, and allowed to pursue personal activities.
- If work makes uninterrupted meal periods impractical, eating on duty must be permitted, and the time must be paid.
- To the extent practical, meal periods must be at least 1 hour after starting and 1 hour before ending shifts.

**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 to the extent practical.
- Rest periods are time worked for minimum wage and overtime purposes, and if employers do not authorize and permit rest periods, they must pay extra for time that would have been rest periods, including for non-hourly-paid employees.
- Key variances/exemptions:
  - In some circumstances, 10-minute rest periods can be divided into two 5-minute (Rule 5.2.1).
  - Agriculture: certain work requires more breaks; other is exempt (Rule 2.3, & Agricultural Labor Conditions Rules).

**Time Worked: Pay for time employers allow performing labor/service for their benefit (Rule 1.9)**

- All time on premises, on duty, or at workplaces (but not just letting off-duty employees be on-premises), including:
  - putting on/removing work clothes/gear (but not clothes worn outside work), cleanup/setup, or other off-dutty duty.
  - waiting for assignments at work, or receiving or sharing work-related information.
  - security/safety screening, or clocking/checking in or out, or waiting for any of the above tasks.
- Travel for employee benefits is time worked; normal home/work travel is not (details in Rule 1.9.2).
- Sleep time, if sufficiently uninterrupted and lengthy, can be excluded in certain situations (details in Rule 1.9.3).

*NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.*

**THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.**

## Public Health Rights

Department of Labor and Employment

**COLORADO**  
 Department of Labor and Employment

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

*Updated June 1, 2022; may be updated annually; up-to-date poster available each mid-December*

**THE HEALTHY FAMILIES & WORKPLACES ACT (“HFWA”): Paid Leave Rights**  
**Coverage:** All Colorado employees, 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.
- Up to 80 hours of supplemental leave applies in a public health emergency (PHE), until 4 weeks after the PHE ends.\*
- Employees are required to be paid their regular pay rate during leave, and the employer must continue their benefits.
- Up to 48 hours of 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.

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

- a mental or physical illness, injury, or health condition that prevents work, including diagnosis or preventive care;
- domestic abuse, sexual assault, or criminal harassment leading to health, relocation, legal, or other services needs;
- care for a family member experiencing a condition described in category (1) or (2); or
- in a PHE, a public official, direct supervisor, or the school or place of care of the employee’s child.

**In a public health emergency (PHE), employees can use supplemental PHE leave for the following needs\*:**

- self-isolating or awaiting evaluation due to disease, symptoms, or diagnosis of the communicable illness in the PHE;
- seeking a diagnosis, treatment, or care (including preventive care) of such an illness;
- being unable to work due to a health condition that may increase susceptibility to or risk of such an illness; or
- care for a child or other family in category (1)-(3), or whose school or child care is unavailable due to the PHE.

During a PHE, employees still earn up to 48 hours of accrued leave and may use supplemental leave before accrued leave.

**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 operates 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 employer may provide: (1) a document from a health or social services provider’s services were received and a document can be obtained in reasonable time and without added expense; otherwise (2) the employee’s own writing.
- To document that an employer (or an employee’s family member) required leave for a need related to domestic abuse, sexual assault, or criminal harassment, an employer may provide: a document or writing under (1) above (i.e., from a provider of legal or shelter services) or (2) above, or a legal document (e.g., a restraining order or police report).
- 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 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 employer can’t be required to take 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 employer’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”).
- Workers Rights to Oppose Workplace Health/Safety Violations:
  - It is unlawful to retaliate against, or interfere with, the following acts:
    - 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;
    - 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.

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

**TUE:** \_\_\_\_\_

**PAID:** \_\_\_\_\_

This poster summarizes three Colorado workplace public health laws: SB 20-205 (paid leave), HB 20-1415 & SB 22-097 (health and safety whistleblowing); 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.

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.

## NOTICE TO WORKERS

**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](http://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](http://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](http://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](http://coloradoui.gov) and click on 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](http://coloradoui.gov/employer), then click on Forms / Publications.**

CO/CDE	<b>COLORADO</b> Department of Labor and Employment	IT STARTS WITH YOU Building a better Colorado
--------	---	--

## Discrimination

Department of Regulatory Agencies,  
 Colorado Civil Rights Division

**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, 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 disclose, 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, 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. 9/13/20.

---

**TO FILE A COMPLAINT OF DISCRIMINATION, OR FOR MORE INFORMATION CONTACT THE COLORADO CIVIL RIGHTS DIVISION; 1560 BROADWAY, LOBBY WELCOMER CENTER, SUITE # 110, DENVER, CO 80202**  
**MAIN PHONE: 303-894-2997; HOTLINE ESPANOL: 720-432-4294; TOLL-FREE: 800-262-4845; V/ITD RELAY: 711; FAX: 303-894-7830; EMAIL: DORA\_CCRD@STATE.CO.US**  
**CLAIMS ASSERTING EMPLOYMENT DISCRIMINATION MUST BE FILED AS A FORMAL COMPLAINT WITHIN 300-DAYS\* FROM NOTICE OF THE EMPLOYMENT ACTION.**  
 \*With respect to discriminatory Employment incidents occurring on or before August 9, 2022, a statutory six (6) month filing deadline applies.

Division Director, Aubrey Elenis, Esq. [cdre.colorado.gov](http://cdre.colorado.gov) REV. 08/2022

## Payday

COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT  
 DIVISION OF LABOR STANDARDS AND STATISTICS

[www.colorado.gov/cdle/labor](http://www.colorado.gov/cdle/labor)

**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 of 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.

**WC50**

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

# NOTICE

## IF YOU ARE INJURED ON THE JOB, YOU HAVE RIGHTS UNDER THE COLORADO WORKERS’ COMPENSATION ACT. YOUR EMPLOYER IS REQUIRED BY LAW TO HAVE WORKERS’ COMPENSATION INSURANCE. THE COST OF THE INSURANCE IS PAID ENTIRELY BY YOUR EMPLOYER. IF YOUR EMPLOYER DOES NOT HAVE WORKERS’ COMPENSATION INSURANCE, YOU STILL HAVE RIGHTS UNDER THE LAW. IT IS AGAINST THE LAW FOR YOUR EMPLOYER TO HAVE A POLICY CONTRARY TO THE REPORTING REQUIREMENTS SET FORTH IN THE COLORADO WORKERS’ COMPENSATION ACT. YOUR EMPLOYER IS INSURED THROUGH:

(Please write or type your insurance carrier name and contact information here.)

## IF YOU ARE INJURED ON THE JOB, NOTIFY YOUR EMPLOYER AS SOON AS YOU ARE ABLE, AND REPORT YOUR INJURY TO YOUR EMPLOYER IN WRITING WITHIN 10 DAYS AFTER THE INJURY. IF YOU DO NOT REPORT YOUR INJURY PROMPTLY, YOU MAY STILL PURSUE A CLAIM. ADVISE YOUR EMPLOYER IF YOU NEED MEDICAL TREATMENT. IF YOU OBTAIN MEDICAL CARE, BE SURE TO REPORT TO YOUR EMPLOYER AND HEALTH-CARE PROVIDER HOW, WHEN, AND WHERE THE INJURY OCCURRED. YOU MAY FILE A WORKER’S CLAIM FOR COMPENSATION WITH THE DIVISION OF WORKERS’ COMPENSATION. TO OBTAIN FORMS OR INFORMATION REGARDING THE WORKERS’ COMPENSATION SYSTEM, THE CUSTOMER SERVICE CONTACT INFORMATION FOR THE DIVISION OF WORKERS’ COMPENSATION IS:


### Division of Workers’ Compensation

633 17th Street, Suite 400  
 Denver, CO 80202  
 303-318-8700  
 1-888-390-7936 (Toll-Free)  
[cdle.colorado.gov/dwc](http://cdle.colorado.gov/dwc)

**WC50**

REV. 08/2022


**TWO** ways to verify poster compliance!

**QR CODE** Scan with phone camera: 

**OR** Go to: [JKeller.com/LLPverify](http://JKeller.com/LLPverify)

**ONLINE** Enter this code: 62768-012023

To update your labor law posters contact  
 J. J. Keller & Associates, Inc.  
[JKeller.com/laborlaw](http://JKeller.com/laborlaw)  
 800-327-6868

65726F CO-ENG  62768