COLORADO

Denver

www.postercompliance.com
Thank you for choosing our eComply downloadable labor law posters with one year of free mandatory updates!

Your posters must be posted in a conspicuous location. Be sure to download all files.

**Printing & Posting Instructions**

- These PDF documents should be **printed on 8.5” x 11” paper** with the printer set to the “fit to page” or comparable option. Following these printing instructions will help ensure that you are complying with state and federal size and font requirements.

- Posters have a Publication Code in the lower left corner, below the red line, such as D-CA_1 *(date)* MINIMUM WAGE. **Post pages with the same code together.**

- **Color requirements:** (for Colorado, Maryland, New Mexico, and North Carolina ONLY).*

- The Attention Employers letter that follows is for your information but should **not** be posted.

**IMPORTANT:** If your email address changes, be sure to notify us so that you continue to receive updates.

We are proud to be your most reliable resource for labor law compliance and we look forward to keeping you in compliance. Please contact us at 800-322-3636 if you have any questions.

* • **Background color requirement** (applies to Colorado *Anti-Discrimination*, and Maryland *Workers Compensation*)

  These posters will appear on your computer screen and print with the required color background *if you have a color printer*. If not, you must print these posters on the appropriate colored paper.

• **Identical poster requirement** (applies to North Carolina *Workers Compensation* and New Mexico *Workers Compensation*)

  These posters must be identical to the state-issued poster which is in color. The posters will appear in color on your computer screen and **must be printed using a color printer** to match the original.
ATTENTION COLORADO EMPLOYERS

Our goal as your RELIABLE labor law poster company is to ensure that you are always in compliance! We would like to make you aware that there may be other requirements that your company is subject to in addition to posting your labor law posters in a conspicuous location.

☐ Obtain and post a copy of the “Workers’ Compensation Act (WC49)” notice from your workers’ compensation insurance carrier if you do not already have one. This notice must be obtained directly from your insurance carrier because it contains information specific to your business.

☐ The "Notice of Pregnancy Accommodation" notice has been removed from the Colorado poster, and information on the Pregnant Workers Fairness Act has been added to the updated "Discrimination in Employment" notice. However, employers are still required to provide employees with written notice of their rights at the start of employment. For further information, contact the Colorado Division of Civil Rights at (303) 894-2997 (choose "0" to speak with an agent) or go to https://www.colorado.gov/dora/civil-rights.

☐ Locate the "Notice of Paydays" notice on your Colorado poster and fill out the time and place of payment in the space provided.

☐ If applicants for employment are normally seen in an area other than where you post your federal labor law poster, you need to post four federal notices in this area where applicants can easily see them. Poster Compliance Center publishes a Federal Applicant Edition poster that includes all four of these notices. Call Customer Service at (800) 322-3636 if you would like to order this poster.

☐ If your state has an E-Verify law (used to determine if workers are eligible for employment), covered employers must register for E-Verify through the U.S. Department of Homeland Security (DHS) and must post required participation posters.
  • Only employers who have registered should post the required posters which can be downloaded free during registration.
  • DHS prohibits commercial sale of these posters by third parties.

For these reasons, E-Verify posters are not included on our state posters. For further information or to register for E-Verify, go to the DHS E-Verify home page at https://www.e-verify.gov or call 888-464-4218.

☐ Colorado has a No Smoking law, and covered employers must post required signs in their places of business. The signs must be posted in specific locations, such as building or room entrances. These location requirements cannot be met by including a no smoking sign on your labor law poster. Therefore, employers must obtain and post any required signs, and must also post a Tobacco-Free Workplace Policy: https://www.colorado.gov/pacific/sites/default/files/PF_ECOP_Tobacco-FreeWorkplacePolicy.pdf.

Poster Compliance Center publishes labor law posters that include all general required notices for employers. Depending on a company’s industry, type of commerce, sector, location, or workforce, additional specialized notices may be required by federal, state, or local governments or agencies. Examples could include notices for a municipality, notices for federal contractors, notices that must be posted for the public or job applicants (in addition to those posted for employees), a labor law notice required in another language for employees who do not speak English, public sector notices, signage that must be posted at a specific location in your business such as the entrance, or a notice that can only be obtained through an insurance company.

DISCLAIMER: This product is not intended to provide legal or financial advice or substitute for the advice of an attorney or advisor.

COSL (2-20)
COLORADO OVERTIME & MINIMUM PAY STANDARDS
ORDER (“COMPS Order”) #37 POSTER
Division of Labor Standards & Statistics

Effective January 1, 2021
Must be updated annually; new poster available 1st week of each December

Colorado Minimum Wage: $12.32 per hour, or $9.30 for Tipped Employees, effective 1/1/2021.
• The minimum wage adjusts annually by inflation; next year’s COMPS Order and Poster will provide the 2022 minimum wage.
• The minimum wage applies to all adults and emancipated minors, whether paid hourly or any other basis (salary, commission, piecework, etc.), unless exempted by COMPS Order Rule 2. Unemancipated minors may be paid 15% below the minimum.
• The federal minimum wage ($7.25) and any local minimum wages (including $14.77 in Denver as of 1/1/21) may also apply. If work is covered by multiple minimums or overtime wage rules, the rule with the higher wage or standard applies.

Overtime: 1 1/2 times the regular pay rate for hours over 40 weekly, 12 daily, or 12 consecutive.
• Hours in two or more weeks cannot be averaged in computing overtime.
• Employers may not provide time off (often called “comp time”) instead of time-and-a-half premium pay for overtime hours.

Meal Periods: 30 minutes uninterrupted and duty-free, for shifts over 5 hours.
• If work makes uninterrupted meal periods impractical, eating an on-duty meal 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.

<table>
<thead>
<tr>
<th>#Work Hours</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>#Rest Periods</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

Rest periods need not be off-site but must not include work and should be in the middle of the 4 hours to the extent practical.
• Two 5-minute rest periods, instead of one 10-minute, are permitted if employees and employers agree voluntarily and without coercion, and if 5 minutes is enough to go back and forth to a bathroom or other place where a genuine break would be taken. Additional flexibility with 5-minute periods applies to agriculture, Medicaid home care, and collectively bargained work.
• Employers that do not authorize and permit rest periods must pay extra for the work time that would have been rest periods.

Time Worked: Time employers allow performance of labor/services for their benefit must be paid.
• All time on-premises, on duty, or at prescribed workplaces (but not just letting off-duty employees be on-premises), including:
  • putting on or removing work clothes/gear (but not clothes worn outside work), cleanup/setup, or other off-the-clock duty;
  • awaiting assignments at work, or receiving or sharing work-related information; or
  • security/safety screening, clocking in or out; or
  • waiting for any of the above tasks.
• Travel for employer benefit is time worked; normal home/work travel is not. For more on travel and sleep time, see Rule 1.92.

Deductions, Credits, & Charges from Wages: Subject to limits in C.R.S. 8-4-105 and below.
• Tip credits of up to $3.02 per hour (lowering minimum wages to $9.30) are allowed for those regularly, customarily receiving over $30 per month in tips. If hourly plus tips is below the full minimum wage, the employer must pay the difference.
• Meal credits are allowed for the cost or value (without employer profit) of a voluntarily accepted meal.
• Lodging deductions are allowed only if housing is voluntarily accepted by the employee, primarily for the employee’s (not employer’s) benefit, recorded in writing, and limited to $25 or $100 per week (depending on the housing type).
• Uniforms that are ordinary clothes, without special material or design, need not be provided; other uniforms must be provided at no cost. Employers must pay for any special cleaning required, and cannot require deposits or deduct for ordinary wear and tear.

Exemptions from the COMPS Order: All listed in Rule 2; key exemptions listed below.
• Executives/supervisors, decision-making administrative employees, and professionals (Rule 2.2.1-3) paid the exempt salary:
  • $20,055, or at a nonprofit the highest-paid/highest-ranked employee, if actively engaged in management (2.2.5).
  • Highly technical computer-related employees (defined in 2.2.10), if paid at least $28.38 per hour.
  • Various in-residence workers, including property managers, range workers, and camp/outdoor education field staff (2.2.7).
  • Various, but not all, types of salespersons (2.2.4.1, 2.4.2) and taxi drivers (2.2.6).
  • Certain medical transportation and hospital/nursing home employees have modified overtime rules (2.4.4, 2.4.5).
  • downhill ski/snowboard employees, including on-mountain food but not lodging, are exempt from 40-hour overtime (2.4.3).
  • Agriculture (2.3) and some transportation (2.4.6) jobs are exempt from overtime and meal periods, and have more flexible rest periods (agriculture) or no (transportation) rest periods.

Complaint & Anti-Retaliation Rights.
• The Division of Labor Standards and Statistics (contact info at the bottom of this Poster) accepts complaints and tips as to violations of COMPS or other wage rights under federal, state, or local law. Alternatively, employees may file lawsuits in court.
• Parties liable for unpaid wages include the employer as an entity, and individuals with operational control over the entity.
• Employers cannot retaliate by threatening, coercing, or discriminating for purposes of reprisal, interference, or obstruction, as to actual or anticipated wage investigations, hearings, complaints, or proceedings.
• Violations of wage or anti-retaliation provisions may be reported to the Division as complaints or anonymous tips.
• Immigration status is irrelevant to wage rights. The Division will investigate and rule on complaints without asking, reporting, or considering status. Using status to interfere with rights is illegal under Wage Protection Rule 4.8 and other applicable law.

This poster must be displayed where easily accessible to workers, included in any existing employee handbook or manual, shared with remote workers, provided in languages other than English as needed, and replaced annually.

This Poster summarizes key wage rules in the COMPS Order, but not all, and should not be relied upon as complete information. For the full Order, more detailed fact sheets, or for questions, information, or complaints as to wage or other labor laws, contact:

Division of Labor Standards and Statistics, coloradolaborlaw.gov, cdle_labor_standards@state.co.us, 303-318-8441 / 888-390-7936.
THE HEALTHY FAMILIES & WORKPLACES ACT (“HFWA”): Paid Leave Rights

Coverage: Employers with at least 16 employees are required to provide paid leave under the HFWA

- 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.
- Regular hours and pay set the rate of accrual and compensation for leave, during which benefits continue.
- Up to 48 hours of unused accrued leave carries over for use 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:

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. A family member experiencing a condition described in category (1) or (2); or
4. In a PHE, a public official closed the workplace, 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:

1. Self-isolating or work exclusion due to exposure, symptoms, or diagnosis of the communicable illness in the PHE;
2. Seeking a diagnosis, treatment, or care (including preventive care) of such an illness;
3. Being unable to work due to a health condition that may increase susceptibility to or risk of such an illness; or
4. Caring 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 leave was for a qualifying reason only if leave was taken for four or more consecutive work days (i.e. days on which an employee would have worked, not calendar days).
- Documentation is not required to take paid leave, but can be required as soon as an employee can provide it after returning to work or separating 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 document can be obtained in reasonable time and without added expense; otherwise (2) the employee’s own writing.
- To document that an employee (or an employee’s family member) required leave for a need related to domestic abuse, sexual assault, or criminal harassment, an employee may provide: a document or writing under (1) above (e.g. 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.

THE PUBLIC HEALTH EMERGENCY WHISTLEBLOWING LAW (“PHEW”): Worker Rights to Express Workplace Health 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 at a “principal”).

Worker Rights to Oppose Workplace Health/Safety Violations During Public Health Emergencies:

- It is unlawful to retaliate against, or interfere with, the following acts during, and related to, a public health emergency:
  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 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 that reason, 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 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)

- Violations may be reported to the Division as complaints or anonymous tips, or may be filed as in court after exhausting pre-lawsuit remedies.

This poster summarizes two Colorado workplace public health laws, SB 20-205 (paid leave) and HB 20-1415 (whistleblowing and personal protective equipment). 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 it is easily accessible to workers, shared with remote workers, provided in languages other than English as needed, and replaced annually.

For full versions of these laws, more detailed fact sheets, questions, information, or complaints as to these or other labor laws, contact:
Division of Labor Standards and Statistics, coloradolaborlaw.gov, cdle_labor_standards@state.co.us, 303-318-8441 / 888-390-7936.
COLORADO
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 (including TRANSGENDER STATUS), 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.

RETISSION 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, 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 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 SIX (6) MONTHS
AFTER THE ALLEGED DISCRIMINATORY ACT OCCURRED.
WARNING

IF YOU ARE INJURED ON THE JOB, WRITTEN NOTICE OF YOUR INJURY MUST BE GIVEN TO YOUR EMPLOYER WITHIN FOUR WORKING DAYS AFTER THE ACCIDENT, PURSUANT TO SECTION 8-43-102(1) AND (1.5), COLORADO REVISED STATUTES.
IF THE INJURY RESULTS FROM YOUR USE OF ALCOHOL OR CONTROLLED SUBSTANCES, YOUR WORKERS’ COMPENSATION DISABILITY BENEFITS MAY BE REDUCED BY ONE-HALF IN ACCORDANCE WITH SECTION 8-42-112.5, COLORADO REVISED STATUTES.

WC50 REV. 5/99
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.
AVISO A LOS TRABAJADORES

USTED TIENE EL DERECHO DE:

- Estar correctamente clasificado como un empleado o un contratista independiente.
- Ser pagado correctamente y puntualmente por los servicios que realiza.

Hay recursos disponibles para usted si cree que está sujeto a una clasificación incorrecta o prácticas de pago incorrectas por parte de su empleador. Para obtener más información, visite WorkRight.cdle.co.

Los empleadores están obligados a cumplir con la ley al pagar salarios por hora, horas extras, y que lo cubra adecuadamente para propósitos del seguro de desempleo y compensación de trabajadores. Como trabajador usted tiene ciertos derechos, sea como empleado o contratista independiente.

La clasificación incorrecta de los empleados como contratistas independientes y otras violaciones de la ley laboral crean muchos problemas, tanto para las empresas que respetan la ley y para los trabajadores en Colorado.

Si cree que ha sido clasificado incorrectamente como un contratista independiente y realmente está desempeñando labores que encajan con los criterios de un empleado, visite colorado.gov/cdle/TipForm, o llámese al 303-318-9100 y presione la Opción 4. Para ser clasificado como empleado, debe cumplir con el criterio del Estatuto Revisado de Colorado (Colorado Revised Statute) 8-70-115. Puede leer la ley en línea (sólo en inglés) y obtener más información en coloradou.gov/ProperClassification.

Como empleado, usted tiene derecho a beneficios de seguro de desempleo al quedar sin empleo, y sin que haya sido su culpa. Su empleador contribuye al seguro de desempleo y no puede deducirlo de su salario.

Si se queda sin empleo y desea solicitar beneficios de seguro de desempleo, vaya a coloradou.gov y haga clic en File a Claim. Si sus horas de trabajo y sueldo han sido reducidas, usted puede tener derecho a beneficios parciales de desempleo.

Si no puede acceder a una computadora, llame a uno de los siguientes números: 303-318-9333 (área metropolitana de Denver) o al 1-866-422-0402 (fuera del área metropolitana de Denver); personas con dificultades auditivas 303-318-9016 (TDD Denver-metro area) o al 1-800-894-7730 (TDD fuera del área de Denver-metro).

POR LEY EL EMPLEADOR ESTÁ OBLIGADO A PUBLICAR ESTE AVISO

Colorado Employment Security Act (Ley de Seguridad de Empleo de Colorado), 8-74-101 (2); Regulations Concerning Employment Security (Reglamentos Relativos a la Seguridad de Empleo), 7.3.1 a 7.3.5

Los empleadores pueden descargar copias de este póster en coloradou.gov/employer, luego hacer clic en Forms / Publications.
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.