Colorado & Federal Employment Notices

DATE POSTED:______________
Labor Laws change often. Please call your distributor twice a year to confirm if you are in compliance.
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NOTE: OSHA REQUIRES THAT REPRODUCTIONS OR FACSIMILES OF THE POSTER BE AT LEAST 8.5" X 14" INCHES WITH 10 POINT TYPE

SERIAL NUMBER: SR239653

OSHA Job Safety and Health IT'S THE LAW!

OSHA Occupational Safety and Health Administration
U.S. Department of Labor

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

FREE ASSISTANCE to identify and correct hazards is available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

Contact OSHA. We can help.

1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

Federal Minimum Wage

Employers subject to the state minimum wage law are obligated to pay the higher rate

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT
$7.25 PER HOUR BEGINNING JULY 24, 2009
The law requires employers to display this poster where employees can readily see it.

OVERTIME PAY:
At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR:
An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT:
Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least $2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least $2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

NURSING MOTHERS (PUMP AT WORK):
The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT:
The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

ADDITIONAL INFORMATION:
Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements.
• Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
• Some state laws provide greater employee protections; employers must comply with both.
• Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
• Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

1-866-487-9243 • TTY: 1-877-889-5627 • www.dol.gov/whd
WAGE AND HOUR DIVISION • UNITED STATES DEPARTMENT OF LABOR

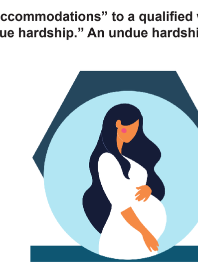
Updated 6/23

Pregnant Workers Fairness Act (PWFA)

WHAT IS PWFA?
The Pregnant Workers Fairness Act (PWFA) is a federal law that, starting June 27, 2023, requires covered employers to provide "reasonable accommodations" to a qualified worker's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "undue hardship." An undue hardship is defined as causing significant difficulty or expense.

"Reasonable accommodations" are changes to the work environment or the way things are usually done at work.

WHAT ARE SOME POSSIBLE ACCOMMODATIONS FOR PREGNANT WORKERS?
- Being able to sit or drink water
- Receiving closer parking
- Having flexible hours
- Receiving appropriately sized uniforms and safety apparel
- Receiving additional break time to use the bathroom, eat, and rest
- Taking leave or time off to recover from childbirth
- Being excused from strenuous activities and/or exposure to chemicals not safe for pregnancy



WHAT OTHER FEDERAL EMPLOYMENT LAWS MAY APPLY TO PREGNANT WORKERS?
Other laws that apply to workers affected by pregnancy, childbirth, or related medical conditions, include:
- **Title VII** which prohibits employment discrimination based on sex, pregnancy, or other protected categories (enforced by the U.S. Equal Employment Opportunity Commission (EEOC))
- **The ADA** which prohibits employment discrimination based on disability (enforced by the EEOC)
- **The Family and Medical Leave Act** which provides unpaid leave for certain workers for pregnancy and to bond with a new child (enforced by the U.S Department of Labor)
- **The PUMP Act** which provides nursing mothers a time and private place to pump at work (enforced by the U.S. Department of Labor)

Learn more at **www.EEOC.gov/Pregnancy-Discrimination**

Updated 6/23

Equal Employment Opportunity

Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

Who is Protected?
• Employees (current and former), including managers and temporary employees
• Job applicants
• Union members and applicants for membership in a union

What Organizations are Covered?
• Most private employers
• State and local governments (as employers)
• Educational institutions (as employers)
• Unions
• Staffing agencies

What Types of Employment Discrimination are Illegal?
Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:
• Race
• Color
• Religion
• National origin
• Sex (including pregnancy and related conditions, sexual orientation, or gender identity)
• Age (40 and older)
• Disability
• Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
• Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding.
• Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What Employment Practices can be Challenged as Discriminatory?
All aspects of employment, including:
• Discharge, firing, or lay-off
• Harassment (including unwelcome verbal or physical conduct)
• Hiring or promotion
• Assignment
• Pay (unequal wages or compensation)
• Failure to provide reasonable accommodation for a disability or a sincerelyheld religious belief, observance or practice
• Benefits
• Job training
• Classification
• Referral
• Obtaining or disclosing genetic information of employees
• Requesting or disclosing medical information of employees
• Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding.
• Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

What can You Do if You Believe Discrimination has Occurred?
Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Submit an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx

Call 1–800–669–4000 (toll free)
1–800–669–6820 (TTY)
1–844–234–5122 (ASL video phone)
Visit an EEOC field office (information at www.eeoc.gov/field-office)
E-Mail info@eeoc.gov

Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin
Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

Asking About, Disclosing, or Discussing Pay
Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Disability
Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

Protected Veteran Status
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation
Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210
1–800–397–6251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofccp/contact.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex
In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

Individuals with Disabilities
Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

Updated 6/23

Colorado Employment Security Act

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.**

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.

Updated 5/19

Public Accommodations

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 (including TRANSGENDER STATUS), 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 UNDER THE CONTROL OF ITS HANDLER AT ALL TIMES. THE HANDLER IS RESPONSIBLE FOR THE CARE OF THE SERVICE ANIMAL, INCLUDING TOILETING, 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, 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

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

ccrd.colorado.gov
Division Director, Aubrey Elenis, Esq.

Updated 8/20

Hazard Communication SDS

The Hazard Communication Standard (HCS) requires chemical manufacturers, distributors, or importers to provide Safety Data Sheets (SDSs) (formerly known as Material Safety Data Sheets or MSDSs) to communicate the hazards of hazardous chemical products. As of June 1, 2015, the HCS will require new SDSs to be in a uniform format, and include the section numbers, the headings, and associated information under the headings below:

Section 1, Identification includes product identifier; manufacturer or distributor name, address, phone number; emergency phone number; recommended use; restrictions on use.

Section 2, Hazard(s) identification includes all hazards regarding the chemical; required label elements.

Section 3, Composition/information on ingredients includes information on chemical ingredients; trade secret claims.

Section 4, First-aid measures includes important symptoms/effects, acute, delayed; required treatment.

Section 5, Fire-fighting measures lists suitable extinguishing techniques, equipment; chemical hazards from fire.

Section 6, Accidental release measures lists emergency procedures; protective equipment; proper methods of containment and cleanup.

Section 7, Handling and storage lists precautions for safe handling and storage, including incompatibilities.

Section 8, Exposure controls/personal protection lists OSHA's Permissible Exposure Limits (PELs); ACGIH Threshold Limit Values (TLVs); and any other exposure limit used or recommended by the chemical manufacturer, importer, or employer preparing the SDS where available as well as appropriate engineering controls; personal protective equipment (PPE).

Section 9, Physical and chemical properties lists the chemical's characteristics.

Section 10, Stability and reactivity lists chemical stability and possibility of hazardous reactions.

Section 11, Toxicological information includes routes of exposure; related symptoms, acute and chronic effects; numerical measures of toxicity.

Section 12, Ecological information*
Section 13, Disposal considerations*
Section 14, Transport information*
Section 15, Regulatory information*

Section 16, Other information, includes the date of preparation or last revision.

*Note: Since other Agencies regulate this information, OSHA will not be enforcing Sections 12 through 15 (29 CFR 1910.1200(g)(2)).
Employers must ensure that SDSs are readily accessible to employees.
See Appendix D of 1910.1200 for a detailed description of SDS contents.

Emergency Notice

AMBULANCE: ______________ FIRE-RESCUE: ______________

HOSPITAL: ______________ PHYSICIAN: ______________

ALTERNATE: ______________ POLICE: ______________

OSHA: ______________ HAZARDOUS MATERIAL: ______________

Payday Notice

PAYDAY IS ON

❒ MONDAY ❒ TUESDAY ❒ WEDNESDAY ❒ THURSDAY ❒ FRIDAY ❒ SATURDAY ❒ SUNDAY

PAY SCHEDULE IS

❒ WEEKLY ❒ BI-WEEKLY ❒ SEMI-MONTHLY ❒ MONTHLY ❒ ______________

PAYCHECKS ARE ISSUED ON THE ______________ AND ______________ OF THE MONTH

AT: ______________ TIME: ______________

ProService HAWAII
HR that powers your business

Made in USA

Family Medical Leave Act

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT
THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

What is FMLA leave?: The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:
• The birth, adoption or foster placement of a child with you,
• Your serious mental or physical health condition that makes you unable to work,
• To care for your spouse, child or parent with a serious mental or physical health condition, and
• Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

Am I eligible to take FMLA leave?
You are an **eligible employee if all** of the following apply:
• You work for a covered employer,
• You have worked for your employer at least 12 months,
• You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
• Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.
You work for a **covered employer if one** of the following applies:
• You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
• You work for an elementary or public or private secondary school, or
• You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave?
Generally, **to request FMLA leave you must**:
• Follow your employer's normal policies for requesting leave,
• Give notice at least 30 days before your need for FMLA leave, or
• If advance notice is not possible, give notice as soon as possible

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave. **Your employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.
The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights. State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

What does my employer need to do?
If you are eligible for FMLA leave, your **employer must**:
• Allow you to take job-protected time off work for a qualifying reason,
• Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
• Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.
Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, **your employer must confirm whether you are eligible** or not eligible for FMLA leave. **If your employer determines that you are eligible, your employer must notify you in writing**:
• About your FMLA rights and responsibilities, and
• How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?
Call **1-866-487-9243** or visit **dol.gov/fmla** to learn more. If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**

For additional information: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627
www.dol.gov/whd
U.S. Department of Labor • Wage and Hour Division

Updated 4/23

USERRA

• FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS •
YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

REEMPLOYMENT RIGHTS
You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:
• you ensure that your employer receives advance written or verbal notice of your service; • you have five years or less of cumulative service in the uniformed services while with that particular employer; • you return to work or apply for reemployment in a timely manner after conclusion of service; and • you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION
If you: • are a past or present member of the uniformed service; • have applied for membership in the uniformed service; or • are obligated to serve in the uniformed service; then an employer may not deny you: • initial employment; • reemployment; • retention in employment; • promotion; or • any benefit of employment because of this status.

HEALTH INSURANCE PROTECTION
• If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. • Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT
• The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. • For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra • If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation. • You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

U.S Department of Labor 1-866-487-2365 | U.S. Department of Justice | Office of Special Counsel | ESGR Employer Support of the Guard and Reserve 1-800-336-4590

Updated 6/22

Disability Minimum Wage

EMPLOYEE RIGHTS FOR WORKERS WITH DISABILITIES
PAID AT SPECIAL MINIMUM WAGES
THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

This establishment has a certificate authorizing the payment of special minimum wages to workers who are disabled for the work they are performing. Authority to pay special minimum wages to workers with disabilities applies to work covered by the Fair Labor Standards Act (FLSA), McNamara-O'Hara Service Contract Act (SCA), and/or Walsh-Healey Public Contracts Act (PCA). Such special minimum wages are referred to as "commensurate wage rates" and are less than the basic hourly rates stated in an SCA wage determination and less than the FLSA minimum wage of $5.85 per hour beginning July 24, 2007, $6.55 per hour beginning July 24, 2008, and $7.25 per hour beginning July 24, 2009. A "commensurate wage rate" is based on the worker's individual productivity, no matter how limited, in proportion to the wage and productivity of experienced workers who do not have disabilities that impact their productivity when performing essentially the same type, quality, and quantity of work in the geographic area from which the labor force of the community is drawn.

WORKERS WITH DISABILITIES
For purposes of payment of commensurate wage rates under a certificate, a worker with a disability is defined as:
• An individual whose earnings or productive capacity is impaired by a physical or mental disability, including those related to age or injury, for the work to be performed.
• Disabilities which may affect productive capacity include blindness, mental illness, mental retardation, cerebral palsy, alcoholism, and drug addiction. The following do not ordinarily affect productive capacity for purposes of paying commensurate wage rates: educational disabilities; chronic unemployment; receipt of welfare benefits; nonattendance at school; juvenile delinquency; and correctional parole or probation.

KEY ELEMENTS OF COMMENSURATE WAGE RATES
• Nondisabled worker standard—The objective gauge (usually a time study of the production of workers who do not have disabilities that impair their productivity for the job) against which the productivity of a worker with a disability is measured.
• Prevailing wage rate—The wage paid to experienced workers who do not have disabilities that impair their productivity for the same or similar work and who are performing such work in the area. Most SCA contracts include a wage determination specifying the prevailing wage rates to be paid for SCA-covered work.
• Evaluation of the productivity of the worker with a disability—Documented measurement of the production of the worker with a disability (in terms of quantity and quality). The wages of all workers paid commensurate wages must be reviewed, and adjusted if appropriate, at periodic intervals. At a minimum, the productivity of hourly-paid workers must be reevaluated at least every six months and a new prevailing wage survey must be conducted at least once every twelve months. In addition, prevailing wages must be reviewed, and adjusted as appropriate, whenever the applicable state or federal minimum wage is increased.

OVERTIME
Generally, if you are performing work subject to the FLSA, SCA, and/or PCA, you must be paid at least 1 times your regular rate of pay for all hours worked over 40 in a workweek.

YOUTH EMPLOYMENT
Minors younger than 18 years of age must be employed in accordance with the youth employment provisions of FLSA. No persons under 16 may be employed in manufacturing or on a PCA contract.

FRINGE BENEFITS
Neither the FLSA nor the PCA have provisions requiring vacation, holiday, or sick pay nor other fringe benefits such as health insurance or pension plans. SCA wage determinations may require such fringe benefit payments (or a cash equivalent). Workers paid under a certificate authorizing commensurate wage rates must receive the full fringe benefits listed on the wage determination.

WORKER NOTIFICATION
Each worker with a disability and, where appropriate, the parent or guardian of such worker, shall be informed orally and in writing by the employer of the terms of the certificate under which such worker is employed.

PETITION PROCESS
Workers with disabilities paid at special minimum wages may petition the Administrator of the Wage and Hour Division of the Department of Labor for a review of their wage rates by an Administrative Law Judge. No particular form of petition is required, except that it must be signed by the worker with a disability or his or her parent or guardian and should contain the name and address of the employer. Petitions should be mailed to: Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Employers shall display this poster where employees and the parents and guardians of workers with disabilities can readily see it.

For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV
U.S. Department of Labor • Employment Standards Administration • Wage and Hour Division

Polygraph Protection

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

PROHIBITIONS
Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS
Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS
Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

ENFORCEMENT
The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.
1-866-487-9243 • TTY: 1-877-889-5627 www.dol.gov/whd

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

Updated 8/16

Wage Act

The Colorado Wage Act (C.R.S. 8-4-101 et seq.) requires Colorado employers to pay employees their earned wages in a timely manner. The Wage Act is commonly referred to as the Colorado Wage Law or Colorado Wage Claim Act.

COVERAGE (8-4-101)
Applies to private sector employers in Colorado. Does not apply to public sector employers. Does not apply to independent contractors.

DEFINITION OF WAGES (8-4-101(8))
• Wages are defined as all earned, vested, and determinable amounts for labor or service performed by employees, regardless of the method of calculation (e.g., time, task, piece, commission, etc.).
• Bonuses or commissions earned in accordance with the terms of any agreement are wages.
• Vacation pay earned in accordance with the terms of any agreement is wages.
• Severance pay is not defined as wages.

PAY PERIODS AND PAYDAYS (8-4-103(1))
• Pay periods can be no greater duration than a calendar month or 30 days, whichever greater.
• Paydays must occur no later than 10 days following the close of each pay period.

PAY STATEMENTS (8-4-103(4))
At least monthly, or at the time of payment of wages, the employer must furnish to the employee an itemized pay statement in writing showing:
• Gross and net wages
• All withholdings and deductions
• Inclusive dates of the pay period
• Name of the employee or SS#
• Name and address of the employer

DIRECT DEPOSIT AND PAYCARDS (8-4-102)
Payment of wages by direct deposit must be voluntarily authorized by the employee. Such direct deposit must be in the financial institution chosen by the employee.

An employer may deposit wages on a paycard as long as the employee is provided free means of access to the entire amount of net pay at least once per pay period.

DEDUCTIONS FROM WAGES (8-4-105)
Permissible deductions from wages include:
1. Deductions mandated by local, state, or federal law, such as taxes, FICA requirements, garnishments, and court-ordered deductions.
2. Deductions for loans, advances, goods or services, and equipment or property provided by an employer to an employee pursuant to an enforceable written agreement.
3. Deductions to cover the cost for theft if a report has been properly filed with law enforcement.
4. Deductions authorized by an employee that are revocable, including medical insurance, savings plans, stock purchases, pension plans, charities, and deposits to financial institutions.
5. Deductions for the amount of money or value of property that the employee failed to properly pay or return when the terminated employee was entrusted with such money or property.
6. Deductions below the minimum wage applicable under FLSA are not authorized.

FINAL PAY (8-4-109)
Wages must be delivered to either the work site, employer's local office, or the employee's last known mailing address as follows:

Employer ends the employment relationship
1. If the accounting unit is scheduled to be operational, pay is due immediately.
2. If the accounting unit is not scheduled to be operational, pay is due not later than 6 hours after the start of the accounting unit's next regular workday.
3. If the accounting unit is located off-site, then wages are due no later than 24 hours after the start of the accounting unit's next regular workday.

Employee quits or resigns
Wages are due by or on the next regular payday.

WAGES OWED / PAY DEMAND (8-4-109(3))
If an employer refuses to pay all wages earned and vested through the employee's last day of employment, the employee may:
1. Make a written demand within 60 days after the date of separation specifying where to send the wages.
2. If the employee's earned wages are not mailed to the place specified in the demand and postmarked within 14 days after the receipt of the demand, the employer shall be liable for the wages and a significant penalty that may meet or exceed 125% of the amount owed or up to 10 days of compensation, whichever is greater.
3. The employee may only recover the above penalties in court; the Division cannot recover penalties for employees.

ENFORCEMENT (8-4-111)
1. The Director of the Division of Labor is required or authorized to conduct investigations and inquiries regarding alleged violations of the Wage Act.
2. District Attorneys in Colorado may prosecute violations of the Wage Act.
3. Employees may pursue wages in a civil action.

DISCRIMINATION PROHIBITED (8-4-120)
Employers may not intimidate, threaten, restrain, coerce, discharge, or in any manner discriminate against any employee who has filed a complaint under the Wage Act.

NONWAIVER OF RIGHTS (8-4-121)
Any agreement, written or oral, by any employee purporting to waive or modify such employee's rights in violation of the Wage Act shall be void.

STATUTE OF LIMITATIONS (8-4-122)
All actions brought pursuant to the Wage Act shall be commenced within 2 years after the cause of action accrues. Willful violations of the Wage Act shall be commenced within 3 years after the cause of action accrues.

POSTING REQUIREMENTS (8-4-107)
Employer must post conspicuously a notice specifying the regular paydays and the time and place of payment. The notice must include any changes to paydays & time and place of payment.
Colorado Department of Labor and Employment Division of Labor
633 17th Street, Suite 200 • Denver, CO 80202-3611 • (303) 318-8441 • www.colorado.gov/cdle/labor

Workplace Public Health Rights

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 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.
• 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 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.

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); 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 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.
• **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.
• **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 three Colorado workplace public health laws: SB 20-205 (paid leave) , HB 20-1415 & SB 22-097 (healthy 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, or for the status of the public health emergency (*a qualifying emergency remains in effect as of June 2022) , contact:

DIVISION OF LABOR STANDARDS & STATISTICS, ColoradoLaborLaw.gov, cdle_labor_standards@state.co.us, 303-318-8441 / 888-390-7936.

Updated 6/22

Anti-Discrimination

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, 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

CLAIMS ASSERTING EMPLOYMENT DISCRIMINATION MUST BE FILED AS A FORMAL COMPLAINT WITHIN 300-DAYS* FROM NOTICE OF THE EMPLOYMENT ACTION.

Directora de la División, Aubrey Elenis, Esq. ccrd.colorado.gov

Updated 12/23

State Minimum Wage

COLORADO Department of Labor and Employment
COLORADO OVERTIME & MINIMUM PAY STANDARDS ORDER ("COMPS Order") #38, POSTER & NOTICE
Effective 1/1/24 : must update annually ; new poster available each mid-December

Colorado Minimum Wage: $14.42/hour, or $11.40 for Tipped Employees, in 2024 (Rule 3)
• The minimum wage is adjusted each year for inflation, so the above amounts are for only 2024
• 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/exemptions (all are 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 11/1/22: 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 1.9)
• 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 paid rest periods, including for non-hourly-paid employees
• Key variances/exemptions:
- In some circumstances, 10-minute rest periods can be divided into two of 5 minutes (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-clock 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 employer benefit 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).

Deductions, Credits, Charges, & Withheld Pay (Rule 6, and Article 4 of C.R.S. Title 8)
• Final pay: Owed promptly (if a termination by employer) or at next pay date (if employee resigned)
• Vacation pay: Departing employees must be paid all accrued and unused vacation pay, including paid time off usable for vacation, without deducting or declaring forfeiture based on cause for termination, lack of resignation notice, etc.
• Deductions from pay: Allowed if listed below or in C.R.S. 8-4-105 (including deductions required by law, in a written agreement for the benefit of the employee, for theft in a police report, or for property loss after an audit)
• Tip credits: Employers can pay up to $3.02 under minimum wage ($9.54 in 2022, or $12.85 in Denver), if: (a) tips (not mandatory service charges) raise pay to full minimum, & (b) tips aren't diverted to non-tipped staff/owners
• Meal credits/deductions: Allowed for the cost or value (without employer profit) of voluntarily accepted meals
• Lodging credits/deductions: Allowed if housing is voluntarily accepted by the employee, primarily for the employee's (not the employer's) benefit, recorded in writing, and limited to $25 or $100 per week (based on housing type)
• Uniforms: Must be provided at no cost unless they are ordinary clothes without special material or design; employers must pay for any special cleaning required, and cannot require deposits or deduct for ordinary wear and tear

Exemptions from COMPS (Rule 2.2 lists all; key exemptions are below)
• Executives/supervisors, administrators, and professionals paid at least a salary (not hourly wages) of $45,000 in 2022 ($50,000 in 2023, $55,000 in 2024, then inflation-adjusted), except $28.92/hour for highly technical computer work
• Other highly compensated, non-manual-labor employees paid at least 2.25 the above salary ($101,250 in 2022)
• 20% owners, or at a nonprofit the highest-paid/highest-ranked employee, if actively engaged in management
• Various (not all) types of salespersons, taxi drivers, camp/outdoor education field staff, or property managers

Record-Keeping & Notices of Rights (Rule 7)
• Employers must give all employees (and keep for three years) pay statements that include time worked, pay rate (including any tips and credits), and total pay
• This year's poster must be displayed where easily accessible, or if not practical (such as for remote workers), provided within one month of beginning work and when employees request a copy
• Employers must include a copy of this poster, or a COMPS Order, in any employment handbook or manual
• Violation of notice of rights rules (posting or distribution), including by providing information undercutting this poster, may yield fines and/or ineligibility for employee-specific credits, deductions, or exemptions in COMPS

Complaint & Anti-Retaliation Rights (Rule 8)
• Employees can send the Division (contact info below) complaints or tips about violations, or file lawsuits in court
• Employers cannot retaliate against, or interfere with, employees exercising their rights
• Anonymous tips are accepted; anonymity or confidentiality are protected if requested (Wage Protection Rule 4.7)
• Owners and other individuals with control over work may be liable for certain violations — not just the business, even if the business is a corporation, partnership, or other entity separate from its owner(s) (Rule 1.6)
• Immigration status is irrelevant to these labor rights: the Division will not ask or report status in investigations or rulings, and it is illegal for anyone to use immigration status to interfere with these rights (Wage Protection Rule 4.8)

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

Updated 10/23

Family & Medical Leave Insurance

Deductions from Employee Wages start January 1, 2023
• The employee share of FAMLI premiums is 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.
• 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 famli.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.

Workers' Compensation

COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT DIVISION OF WORKERS' COMPENSATION

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

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