

Minimum Wage

Department of Labor and Employment, Division of Labor Standards & Statistics

COLORADO WAGE & HOUR RIGHTS & RESPONSIBILITIES:
The COMPS Order (Colorado Overtime & Minimum Pay Standards) Poster & Notice
Effective 1/1/2025
Use new version released by each Department (Rule 1.9)

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

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

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

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

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

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

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

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

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

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

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

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

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Public Health Rights

Department of Labor and Employment

Colorado Workplace Public Health Rights Poster:
PAID LEAVE, WHISTLEBLOWING, & PROTECTIVE EQUIPMENT
Updated July 14, 2023
may be updated periodically

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

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

- All employees earn 1 hour of paid leave per 30 hours worked ("accrued leave"), up to 48 hours a year.
- Employers 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 Rules 3.5, 7 (CRS 1103-7).
- Up to 80 hours of supplemental leave applies in a public health emergency (PHE), until 4 weeks after the PHE ends.

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

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

Employer Policies (Notice, Documentation: Incremental Use; Privacy; and Paid Leave Records)

- Written notice and posters.** Employers must (1) provide notice to new employees no later than their 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.
- 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 reports from work (whichever is sooner). **No documentation can be required for PHE leave.**
- To document leave for an employee's (or an employee's family member's) health-related need,** an employer may provide: (1) a document from a health or social services provider if services were received and a document can be obtained in reasonable time and without added expense, **otherwise** (2) the employee's own writing.
- Documentation as to domestic abuse, sexual assault, or criminal harassment** can be a document or writing under (1) above (e.g. legal or shelter services provided) or (2) above, or a legal document (restraining order, police report, etc.).
- If an employer reasonably denies 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 "status" 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. Employers 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:
 - raising reasonable concerns,** including informally, to the principal, other workers, the government, or the public, about workplace violations of government health or safety rules; or a significant workplace health or safety threat;
 - opposing or testifying, assisting, or participating** in an investigation or proceeding about retaliation for, or interference with, the above listed conduct.A principal need not address a worker's PHEW-related concern, but it **still cannot fire or take other action against** the worker for raising such a concern, as long as the concern was reasonable and in good-faith.
- Workers' Rights to Use Their Own Personal Protective Equipment ("PPE"):**
- A worker must be allowed to **voluntarily wear their own PPE** (mask, faceguard, gloves, etc.) if the PPE (1) provides **more protection** than equipment provided at the workplace, (2) is **recommended by a government health agency** (federal, state, or local), and (3) does not make the worker **unable to do the job**.

COMPLAINT RIGHTS (under both HFWA & PHEW)

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

This Poster summarizes two Colorado workplace public health laws: C.R.S. 9-6-133-401 et seq. (paid leave), and C.R.S. 9-6-144-101 et seq. (health and safety whistleblowing) including amendments current as of the date of this poster. It does not cover other health or safety laws, rules, and orders, including under the Federal Occupational Safety and Health Act (OSHA), from the Colorado Department of Public Health and Environment (CDPHE), or from local public health agencies. Contact those agencies for such health and safety information.

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

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

This Poster is a summary and cannot be relied on as complete labor law information. For all rules, fact sheets, translations, questions, or complaints, contact:

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

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.cde.ca](#)

Employees 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 low-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/cde/labor](#), 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 9-70-115. 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 became unemployed and wish to file for unemployment insurance benefits, go to [coloradoui.gov](#) and click on the 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 303-318-9006 (TDD) Denver metro area or 1-800-384-7730 (TDD) outside Denver metro area).

Discrimination

Department of Regulatory Agencies,
Colorado Civil Rights Division

Colorado Law Prohibits Discrimination in: EMPLOYMENT

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, MARITAL STATUS TO A SPOUSE.

REASONABLE ACCOMMODATIONS FOR DISABILITIES:

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

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

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

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

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

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

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

CROWN ACT OF 2020:

Discrimination on the basis of one's race includes hair texture, hair type, hair length or a protective hairstyle commonly or historically associated with race, such as braids, locs, twists, tight curls or curls, cornrows, Bantu knots, Afros, and headwraps, etc. 63/24.

TO FILE A COMPLAINT OF DISCRIMINATION, OR FOR MORE INFORMATION CONTACT THE COLORADO CIVIL RIGHTS DIVISION;
1560 BROADWAY, LOBBY WELCOME CENTER, SUITE # 110, DENVER, CO 80202
MAIN PHONE: 303-894-2997; HOTLINE ESPANOL: 720-432-4294; TOLL-FREE: 800-262-4845; VTD RELAY: 711; FAX: 303-894-7830; EMAIL: [DORA_CD@STATE.CO.US](#)

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

Division Director, Aubrey Elenis, Esq. [ccrd.colorado.gov](#)

REV. 07/2024

Payday

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

[www.colorado.gov/cde/labor](#)

NOTICE OF PAYDAYS

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

Every employer shall post and keep posted conspicuously at the place of work if practicable, or otherwise where it can be seen as employees come or go to their places of work, 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 that may occur from time to time.

Pay periods can be no greater duration than a calendar month or 30 days, whichever is longer. Payday 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:

Tue: _____

Fri: _____

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

FAMILY

COLORADO
Family and Medical Leave Insurance Program (FAMILI)
Department of Labor and Employment

FAMILI Program Notice
Updated December 2023 | [famli.colorado.gov](#)

Deductions from Employee Wages start January 1, 2023

- The employee share of FAMILI premiums is set at 0.45% of employee wages through 2024. For 2025 and beyond, the director of the FAMILI Division sets the premium rate according to a formula based on the monetary value of the fund each year. Employees with a total of ten or more employees nationwide 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 sending the 0.45% employee share to the FAMILI Division.
- Starting in 2023, employers may begin deducting up to 0.45% from employees' wages for FAMILI contributions.** This can be done through a simple payroll deduction, and employers will notice the deduction on their regular paychecks. Employers are responsible for collecting those deductions and sending them into the FAMILI Division on behalf of their employees once a quarter.
- Benefits start January 1, 2024**
- Starting in 2024, paid family and medical leave benefits are available to most Colorado employers 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. Employers 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 FAMILI leave is used for a reason that also qualifies as leave under the federal FMLA, then the leave will also count as FMLA leave used.

- Employees may choose to use sick leave or other paid time off before using FAMILI benefits, but they are not required to do so.
- Employers and employees may mutually agree to supplement FAMILI benefits with sick leave or other paid time off in order to provide full wage replacement.

Filing Claims

- Benefits will be available starting January 2024. Instructions on how to apply for benefits are available at [famli.colorado.gov](#).
- Employees or their designated representatives apply for FAMILI benefits by submitting an application and any required documentation through My FAMILI+, available at [famli.colorado.gov](#).
- 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 FAMILI 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 FAMILI Division.
- Individuals who attempt to default the FAMILI program may be disqualified from receiving benefits.

Job protection and continued benefits

- Employees may not interfere with employees' rights under FAMILI, and may not discriminate or retaliate against them for exercising those rights, including taking FAMILI leave, talking to others about FAMILI, and filing complaints or FAMILI violations.
- 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 FAMILI leave.

Retaliation, Discrimination, and Interference Prohibited

- Employees may not interfere with employees' rights under FAMILI, 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 FAMILI Division.

Other Important Information

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

STATE OF COLORADO
1876

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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OR

ONLINE Go to: [JJKeller.com/LLPverify](#)
Enter this code: 69334-012025

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

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REV. 08/2022

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