

FED

## Employee Rights Under the Fair Labor Standards Act

### FEDERAL MINIMUM WAGE

#### \$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 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 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. Employees 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 employer'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**  
The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to 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.

DEPARTMENT OF LABOR  
UNITED STATES OF AMERICA

**WHD**

WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243  
TTY: 1-877-889-5627  
www.dol.gov/whd

WH1088

REV. 07/2016

CO

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

### COMPS Order #36 Poster

#### Colorado Overtime and Minimum Pay Standards Order

Effective March 16, 2020

**Colorado Minimum Wage: \$12.00 per hour, or \$8.98 for Tipped Employees, effective 1/1/2020.**

- Minimum wage adjusts annually by inflation; next year's COMPS Order and Poster will provide the 2021 minimum wage.
- The minimum wage applies to all adults and emancipated minors, whether paid hourly or on other basis (salary, commission, piecework, etc.), unless exempted by COMPS Order Rule 2. Emancipated minors may be paid 15% below the minimum.
- The federal minimum wage (\$7.25) and any local minimum wages (including \$12.85 in Denver as of 1/1/2020) may also apply. If work is covered by multiple minimum or overtime wage rules, the rule with the higher wage or standard applies.

**Overtime: 1½ times the regular pay rate for hours over 40 weekly, 12 daily, or 12 consecutive.**

- Hours in two or more weeks cannot be averaged in computing overtime.
- Employers may not divide (or "split") overtime into time-and-a-half premium pay for overtime hours.

**Meal Periods: 30 minutes uninterrupted and duty-free, for shifts over 5 hours.**

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

Rest Periods: 10 minutes, paid, every 4 hours.	#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
Best Periods	0	1	2	3	4	5	6	

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

**Time Worked: Time employees allow performance of labor/services for their benefit must be paid.**

- All time on premises, on duty, or at prescribed workplaces, (but not just letting off-duty employees be on-premises), including:
  - putting on or removing work clothes/gear (but not clothes worn outside work), cleanup/leave, or other off-the-clock duty;
  - waiting assignments to work, or receiving or changing work-related information; or
  - security/safety screening, clocking checking in or out; or
  - waiting for any of the above tasks.
- Travel for employee benefits is time worked; normal home/work travel is not.
- For more on travel time and sleep time, see Rule 1.9.2.

**Deductions, Credits, & Charges from Wages Subject to limits in C.R.S. 8-4-105 and below.**

- Tip credits of up to \$3.02 per hour (lowering minimum wages to \$8.98) are allowed for those regularly, customarily receiving over \$30 per month in tips. If hourly pay plus tips is below the full minimum wage, the employer must pay the difference.
- Meal credits are allowed for the cost of value (without employer profit) of a voluntarily accepted meal.
- Lodging deductions are allowed only if housing is voluntarily accepted by the employee, primarily for the employee's (not employer's) benefit, recorded in writing, and limited to \$25 or \$100 per week (depending on the housing type).
- Uniforms that are ordinary clothes, without special material or design, need not be provided; other uniforms must be provided at no cost. Employers must pay for any special cleaning required, and cannot require deposits or deduct for ordinary wear and tear.

**Exemptions from the COMPS Order: All listed in Rule 2; key exemptions listed below.**

- Executive/supervisory, decision-making administrative employees, and professionals (Rule 2.1.3) paid the exempt salary;

Salary through 6/20	7/20-12/20	2021	2022	2023	2024	Each Year After 2024
Equal to at least minimum wage for all hours	\$35,568	\$40,500	\$45,000	\$50,000	\$55,000	Prior year's salary, inflation-adjusted

- 20% owners, or a non-profit the highest-paid/highest-ranked employee, if actively engaged in management (2.2.5).
- Highly technical computer-related employees (defined in 2.2.0). If paid at least \$2.43 per hour.
- Various in-residence workers, including property managers, range workers, and camp/outdoor education staff (2.2.7).
- Various, but not all, types of salespersons (2.2.4, 2.4.1, 2.4.2 and transportation workers (2.2.6).
- Certain medical transportation and hospital/nursing home employees have exemption times (2.4.4, 2.4.5).
- Downhill ski/knowledge transportation, including on-mountain food and not modified over 40-hour overtime (2.4.3).
- Agriculture jobs are exempt from overtime and meal periods, and have more flexibility as to rest periods (2.3).

**Complaint & Anti-Retaliation Rights.**

- The Division of Labor Standards and Statistics (contact info at the top of this Poster) accepts complaints for unpaid minimum or overtime wages required by federal, state, or local law. Alternatively, employees may file lawsuits in court.
- Parties liable for unpaid wages include the employer, an agent, and individuals with operational control over the entity.
- Employers cannot retaliate by threatening, coercing, or discriminating for purposes of reprisal, interference, or obstruction, to an actual or anticipated wage investigations, hearings, complaints, or proceedings.
- Violations of wage or anti-retaliation provisions may be reported to the Division of Labor Standards or as anonymous tips.

**Posting & Translation of COMPS Order Poster.**

- Posting: Employers must display this Poster where employees can easily read it during the workday. If physical posting is impractical, employers must provide copies of this Poster or the COMPS Order in employee's first month of work.
- Distribution: Employers must display this Poster upon request, and include a copy with any written handbook or policies.
- Translation: If employees have limited English language ability and speak Spanish, employers must post the Poster in Spanish. If employees speak a language other than Spanish, the employer must ask the Division for a Poster in that language.

**This Poster summarizes key wage rules in the COMPS Order, but not all, and should not be relied upon as complete information on wage rules.**

**For the full COMPS Order and wage law information, or with wage law questions, contact:**  
**Division of Labor Standards and Statistics, coloradolabor.gov, cdle\_labor\_standards@state.co.us, 303-318-8441 / 888-398-7936.**

**NOTICE:** This state has its own minimum wage law. Employers are also required to display the federal Employees Rights Under the Fair Labor Standards Act poster, which indicates the federal minimum wage. Where federal and state laws 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.**

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CO

## Department of Regulatory Agencies, Colorado Civil Rights Division

### Colorado Law Prohibits Discrimination in: EMPLOYMENT

C.R.S. §24-34-401 et seq.

**IT SHALL BE A DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE:**  
TO REFUSE TO HIRE, TO DISCHARGE, TO PROMOTE OR DEMOTE, TO HARASS during the course of employment, or to discriminate in MATTERS OF COMPENSATION, TERMS, CONDITIONS, or PRIVILEGES of employment.

**REASONS OF:**  
DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION (including TRANSGENDER STATUS), RELIGION, AGE, NATIONAL ORIGIN or ANCESTRY, or in certain circumstances, MARRIAGE TO A CO-WORKER.

**REASONABLE ACCOMMODATION 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 related to pregnancy or physical recovery from childbirth is entitled to a reasonable accommodation 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.

**CROWN CACT 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 curls or curls, cornrows, Bantu knots, Afros, and headwraps, etc. 9/1/2020.

**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; **TOLL-FREE:** 800-367-4865; **VOTED RELAY:** 711; **FAX:** 303-894-7830; **EMAIL:** [CDLRD@STATE.CO.US](mailto:CDLRD@STATE.CO.US)

**EMPLOYMENT DISCRIMINATION COMPLAINTS MUST BE FILED WITHIN SIX (6) MONTHS AFTER THE ALLEGED DISCRIMINATORY ACT OCCURRED.**

Division Director, Audrey Ellis, Esq.

**ccrd.colorado.gov**

REV. 08/2020

CO

## Department of Labor and Employment, Division of Workers' Compensation

### Colorado Workers' Compensation Information

#### Your employer has workers' compensation coverage for employees through:

Workers' compensation is a type of insurance coverage that employers must provide to their employees. The cost of workers' compensation insurance is paid entirely by the employer and must not be deducted from an employee's wages.

If you are injured or sustain an occupational disease while at work, you may be entitled to compensation benefits as provided by law. WRITTEN NOTICE MUST BE GIVEN TO YOUR EMPLOYER WITHIN 4 WORKING DAYS OF THE ACCIDENT. If you don't report your injury or occupational disease promptly your benefits may be reduced.

If you are unable to work as the result of a work-related injury or occupational disease, compensation (wage replacement) benefits will be based on 2/3 of your average weekly wage up to a maximum set by law. No compensation is payable for the first 7 days disability unless the period of disability exceeds two weeks.

You are entitled to reasonable and necessary medical treatment 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.

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, you may call Customer Service at 303-318-8700 or toll-free at 1-888-398-7936 or visit our website at [www.colorado.gov/cdle/dwc](http://www.colorado.gov/cdle/dwc).

**COLORADO DIVISION OF WORKERS' COMPENSATION**  
633 17th Street, Suite 400, Denver, CO 80202-3626

**Any information provided below comes from your employer and is specific to this place of employment:**

W49

REV. 05/2019

CO

## NOTICE TO WORKERS

### YOU HAVE THE RIGHT TO BE:

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

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

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

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

If you believe you have been **improperly classified** as an independent contractor and are really performing duties that fit the criteria of an employee, visit [colorado.gov/cdle/TipForm](http://colorado.gov/cdle/TipForm), or call us at 303-318-9100 and select Option 4. To be classified as an employee, you must meet the criteria in Colorado Revised Statute 8-70-115. You can read the law online and find out more at [colorado.gov/ProperClassification](http://colorado.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 with no fault of your unemployment insurance benefits, go to [coloradolabor.gov](http://coloradolabor.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: 303-318-9100 (Denver metro area) or 1-800-388-5515 (outside Denver metro area); hearing impaired 303-318-9100 (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 [coloradolabor.gov/employer](http://coloradolabor.gov/employer), then click on Forms / Publications.**

CO/COLE

**COLORADO**  
Department of Labor and Employment

IT STARTS WITH YOU

Building a better Colorado

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## EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

### The United States Department of Labor Wage and Hour Division

**LEAVE ENTITLEMENTS**  
Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- Care for a child (leave must be taken within 1 year of the child's birth or placement);
- Care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

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

An employer does not have to take leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

**BENEFITS & PROTECTIONS**  
While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

**ELIGIBILITY REQUIREMENTS**  
An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;\* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

\*Special "hours of service" requirements apply to airline flight crew employees.

**REQUESTING LEAVE**  
Generally, employees must give 30 days' advance notice of the need for FMLA leave. If it is not possible to give 30 days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so as to determine if the leave qualifies for FMLA protection. Sufficient information could include informing the employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer of the need for leave as a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

**EMPLOYER RESPONSIBILITIES**  
Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employees must notify their employers if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

**ENFORCEMENT**  
Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. 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.

For additional information or to file a complaint:

DEPARTMENT OF LABOR  
UNITED STATES OF AMERICA

**WHD**

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 • WH1420

REV. 04/2016

FED

## Equal Employment Opportunity is THE LAW

### Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

**RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**  
Title VII of the Civil Rights Act of 1964, as amended, prohibits employers from discrimination on the basis of race, color, religion, sex, or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

**DISABILITY**  
Title I and Title II of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes failing to make 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.

**AGE**  
The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination on the basis of age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

**SEX (WAGES)**  
In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

**Employers Holding Federal Contracts or Subcontracts**  
Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

**RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**  
Executive Order 12816, as amended, prohibits job discrimination on the basis of race, color, religion, sex, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

**INDIVIDUALS WITH DISABILITIES**  
Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. 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.

**DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS**  
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits discrimination and requires affirmative action to ensure and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

**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 VI of the Education Amendments of 1972 prohibits discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

**EO/EC 10/2 and EO/EC 8/08 Versions Usable With 11/09 Supplement**

EOC: P-1

REV. 11/2009

FED

## YOUR RIGHTS UNDER USERRA

### THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT 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 services.

- 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 your 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;
- are obligated to serve in the uniformed service;
- have applied for membership in the uniformed service; or
- then an employer may not deny you:
  - initial employment;
  - promotion; or
  - any benefit of employment

because of this status.

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: <http://www.dhs.gov/vets/programs/userra/poster.htm>. 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.

**ENFORCEMENT**  
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 employers. Employees or job applicants may also bring their own court actions.

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

REV. 04/2017

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## EMPLOYEE RIGHTS

### EMPLOYEE POLYGRAPH PROTECTION ACT

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.

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

REV. 07/2016

CO

## Department of Labor and Employment, Division of Labor

### NOTICE OF PAYDAYS

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

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

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

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

TIME: \_\_\_\_\_

PAY: \_\_\_\_\_

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

DEPARTMENT OF LABOR  
UNITED STATES OF AMERICA

**WHD**

WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243  
TTY: 1-877-889-5627  
www.dol.gov/whd

U.S. Department of Labor • Wage and Hour Division • WH1462

REV. 07/2016

CO

# WARNING

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

WCSO

REV. 05/1999

### Department of Labor and Employment

#### Colorado Workplace Public Health Rights Poster:

#### Paid Leave, Whistleblowing, & Personal Protective Equipment

Division of Labor Standards & Statistics

Poster effective July 15 – Dec. 31, 2020

**HEALTHY FAMILIES & WORKPLACES ACT ("HFWA"):**

- Employee Rights to Paid Leave**  
Employees in Colorado Must Provide Paid Leave for COVID-19 Needs Through Dec. 31, 2020
- Employees in Colorado must provide paid leave in 2020 to an employee who:
  - has COVID-19 symptoms and is seeking a medical diagnosis;
  - is instructed by a government agent or a health provider to **quarantine or isolate** due to COVID-19 risk; or
  - is **taking care of someone** else due to COVID-19 precautions — either someone ordered to quarantine or isolate, or a child whose school, place of care, or children's is closed or unavailable.
- Starting in 2021, HFWA requires less paid leave: 1 hour per 30 hours worked, with a maximum of 48 hours (paid leave a year) but covers a wider range of conditions, and adds 32 more hours' paid leave (80 total) in public health emergencies.

**How Much Paid Leave in Two Weeks (80 hours)**

- Employees can take up to 2 weeks of paid leave: **up to 80 hours**, depending on their weekly hours.
- Paid leave is at the employee's **regular pay rate**, or can be at **¾ pay for category B** (care for someone else). The pay rate does not include overtime or bonuses. If pay is all or partly salary-based, paid leave must be either the employee's hourly or salary rate, or at the applicable minimum wage (whichever is higher).
- If an employee already received paid leave in 2020 for COVID-19-related needs, that counts as part of the 2 weeks of HFWA required, but leave provided for non-COVID conditions does not count toward what HFWA requires.

**Retaliation or Interference with HFWA Rights**

- An employer cannot fire, threaten, or otherwise **retaliate** against or **interfere** with, an employee who: (A) requests or takes HFWA leave; (B) informs another person about HFWA rights; or supports that person's exercise of HFWA rights; (C) files a HFWA complaint; or (D) cooperates/assists in an investigation about a potential HFWA violation.
- If an employee's HFWA complaint, request, or other activity is incorrect, an employer need not agree or grant it — but still cannot fire or take other action against the worker for that reason, as long as the worker's belief was reasonable and in good faith. Employees can face consequences for missing paid leave or other misconduct.

**Coverage: All Employees and Employees, With Limited Exceptions**

- All employees in Colorado, regardless of size**, must provide HFWA paid leave, except the federal government (other government employees are not exempt) and those covered by the federal Railroad Unemployment Insurance Act.
- Employees with **unpaid leave are covered in 2020, but exempt in 2021 (then all employees covered in 2022)**.
- Employees providing "equivalent or more" paid leave for collective bargaining agreements are exempt from certain HFWA requirements, as long as they don't diminish rights, such as anti-retaliation or the right to file a complaint.
- Employee agreements or employer policies **cannot waive HFWA rights**, and are void and unenforceable.

**Public Health Emergency Whistleblower Law ("PHEW"):**

- Worker Rights to Express Workplace Health Concerns & Use Protective Equipment**  
Workers Rights to Oppose Workplace Health/Safety Violations During Public Health Emergencies
- It is unlawful to retaliate against, or interfere with, the following acts during, and related to, a public health emergency:
  - raising **reasonable concerns**, whether a formal complaint or informally to any person, about workplace violations of government health or safety rules; or about a significant workplace threat to health or safety;
  - opposing a violation** (of the type in category 1); or
  - testifying, assisting, or participating** in a proceeding about a violation (of the type in category 1).
- If a worker's PHEW complaint, request, or other activity is incorrect, an employer or other business need not agree or grant it — but still cannot fire or take other action against the worker for that reason, as long as the worker's belief was reasonable and in good faith. Workers can face consequences for missing PHEW rights or other misconduct.

**Workers Rights to Use Their Own Personal Protective Equipment ("PPE")**

- A worker must be allowed to **voluntarily wear their own PPE**, such as a mask, faceguard, or gloves, if that PPE:
  - provides **more protection** than equipment provided at the workplace;
  - is **recommended** by a government health agency (federal, state, or local); and
  - does not make the worker **unable to do the job**.

**Coverage: All Employees and Employees, Plus Certain Independent Contractors**

- PHEW uses the terms "**principal**" (not employer/employee) because it covers independent contractors.
- Failure to provide paid leave** under HFWA is an "unpaid wage" claim that the Division must investigate and decide. **Retaliation or interference** with PHEW or HFWA rights is a claim that the Division by law may investigate. The Division will review all such claims, and if the decision is not to investigate, the Division will inform the claimant.
- Potential violations can be initiated by filed as lawsuits in court, but only after exhausting these pre-lawsuit remedies.
- If a worker's PHEW complaint, request, or other activity is incorrect, an employer need not agree or grant it — but still cannot fire or take other action against the worker for that reason, as long as the worker's belief was reasonable and in good faith. Workers can face consequences for missing PHEW rights or other misconduct.

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

- Potential violations can be submitted for investigation to the Division (contact information below).
- Failure to provide paid leave** under HFWA is an "unpaid wage" claim that the Division must investigate and decide. **Retaliation or interference** with PHEW or HFWA rights is a claim that the Division by law may investigate. The Division will review all such claims, and if the decision is not to investigate, the Division will inform the claimant.
- Potential violations can be initiated by filed as lawsuits in court, but only after exhausting these pre-lawsuit remedies.
- If a worker's PHEW complaint, request, or other activity is incorrect, an employer need not agree or grant it — but still cannot fire or take other action against the worker for that reason, as long as the worker's belief was reasonable and in good faith. Workers can face consequences for missing PHEW rights or other misconduct.

This Poster summarizes two Colorado workplace public health laws, SB 20-205 (paid leave) and HB 20-1415 (whistleblowing and personal protective equipment). It does not cover other health or safety laws, rules, and orders, including under the federal Occupational Safety and Health Act (OSHA) or Colorado's own OSHA, from the Colorado Department of Public Health and Environment (CDPHE), or from local public health agencies. Contact those agencies for more such health and safety information.

**This poster must be displayed where it is accessible to workers, shared with remote workers electronically on our paper, and replaced with the 2021 poster for January 1, 2021.**

**For more information, or if translations into other languages are needed, contact: Division of Labor Standards and Statistics, [coloradolabor.gov](http://coloradolabor.gov), [cdle\\_labor\\_standards@state.co.us](mailto:cdle_labor_standards@state.co.us), 303-318-8441 / 888-398-7936.**

CO

## Job Safety and Health IT'S THE LAW!

U.S. Department of Labor

**OSHA**  
Occupational Safety and Health Administration

### 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 a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. 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.
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