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COLORADO & FEDERAL LABOR LAW POSTER

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LaborLawCenter.com

-800-745-9970 • Product ID: CO50 Compliance Code: CO-1224-F04 ● Check Compliance By Scanning Here ►

EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL

Know Your Rights: Workplace Discrimination is Illegal

as Discriminatory

or physical conduct)

• Pay (unequal wages or compensation)

belief, observance or practice

Failure to provide reasonable accommodation

Hiring or promotion

Assignment

Benefits

Referral

• Job training

Classification

of employees

of employees

or proceeding

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, childbirth, and related medical 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 Conduct that coerces, intimidates, threatens, or discrimination, or participating in a discrimination interferes with someone exercising their rights, or someone assisting or encouraging someone lawsuit, investigation, or proceeding else to exercise rights, regarding disability Interference, coercion, or threats related to exercising rights regarding disability discrimination (including accommodation) or discrimination or pregnancy accommodation pregnancy accommodation What can You Do if You Believe Discrimination What Employment Practices can be Challenged has Occurred? Contact the EEOC promptly if you All aspects of employment, including: suspect discrimination. Do not delay, because there are strict time limits for filing a charge of Discharge, firing, or lay-off Harassment (including unwelcome verbal discrimination (180 or 300 days, depending on

> any of the following ways: **Submit** an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx

where you live/work). You can reach the EEOC in

for a disability; pregnancy, childbirth, or related Call 1-800-669-4000 (toll free) medical condition; or a sincerely-held religious 1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone)

> Visit an EEOC field office (information at <u>www.eeoc.gov/field-office</u>)

 Obtaining or disclosing genetic information E-Mail info@eeoc.gov Requesting or disclosing medical information

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

someone from opposing discrimination, filing a

• Conduct that might reasonably discourage

charge, or participating in an investigation

for a job with, or are an employee of, a company with a Federal contract or employment, disabled veterans, recently separated veterans (i.e., within following bases:

Origin Executive Order 11246, as amended, prohibits employment of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors based on race, color, religion, sex, sexual discrimination by Federal contractors under these Federal laws. Any person orientation, gender identity, or national origin, and requires affirmative action who believes a contractor has violated its nondiscrimination or affirmative 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.

Race, Color, National Origin, Sex In addition to the protections of Title VII Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of amended, prohibits employment discrimination on the basis of disability in any 1964, as amended, prohibits discrimination on the basis of race, color or program or activity which receives Federal financial assistance. Discrimination national origin in programs or activities receiving Federal financial assistance. is prohibited in all aspects of employment against persons with disabilities Employment discrimination is covered by Title VI if the primary objective of who, with or without reasonable accommodation, can perform the essential the financial assistance is provision of employment, or where employment functions of the job. If you believe you have been discriminated against in a

The Department of Labor's Office of Federal Contract Compliance Programs **Protected Veteran Status** The Vietnam Era Veterans' Readjustment Assistance (OFCCP) enforces the nondiscrimination and affirmative action commitments Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination of companies doing business with the Federal Government. If you are applying against, and requires affirmative action to recruit, employ, and advance in subcontract, you are protected under Federal law from discrimination on the three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Retaliation Retaliation is prohibited against a person who files a complaint 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 guestion 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

FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

can readily see it.

OVERTIME PAY At least 1 1/2 times your 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.

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

The law requires employers to display this poster where employees 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

 $\star \star \star \star \star \star$

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.

> WAGE AND HOUR DIVISION STATES DEPARTMENT OF LABOR 1-866-487-9243 WH1088 REV 04/23 www.dol.gov/agencies/whd

FMLA - FAMILY AND MEDICAL LEAVE ACT

Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law that You do not have to share a medical diagnosis but must provide enough provides eligible employees with job-protected leave for qualifying family and information to your employer so they can determine whether the leave qualifies for medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) FMLA protection. You must also inform your employer if FMLA leave was enforces the FMLA for most employees. previously taken or approved for the same reason when requesting additional Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period leave.

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 supersede any state or local law or collective bargaining agreement that provides condition, and Certain qualifying reasons related to the foreign deployment of your spouse, child State employees may be subject to certain limitations in pursuit of direct lawsuits or parent who is a military servicemember An eligible employee who is the spouse, child, parent or next of kin of a covered congressional employees are also covered by the law but are subject to the ervicemember with a serious injury or illness may take up to 26 workweeks of jurisdiction of the U.S. Office of Personnel Management or Congres 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 **employer must**: necessary or otherwise permitted, you may take FMLA leave intermittently in • Allow you to take job-protected time off work for a qualifying reason, 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.

investigation.

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:

Your employer may request certification from a health care provider to verify

The FMLA does not affect any federal or state law prohibiting discrimination or

regarding leave for their own serious health conditions. Most federal and certain

What does my employer need to do? If you are eligible for FMLA leave, your

Continue your group health plan coverage while you are on leave on the same basis

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

medical leave and may request certification of a qualifying exigency.

 About your FMLA rights and responsibilities, and · How much of your requested leave, if any, will be FMLA-protected leave.

You work for a public agency, such as a local, state or federal government agency. If you believe your rights under Most federal employees are covered by Title II of the FMLA, administered by the the FMLA have been violated,



USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

JSERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service n 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

Division Director, Aubrey Elenis, Esq.

of a place of public accommodation

NATIONAL ORIGIN or ANCESTRY.

SERVICE ANIMAL TO BE PRESENT.

REFUSE SERVICE TO ANYONE" — 3CCR708-1

vision Director, Aubrey Elenis, Esq.

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

that may occur from time to time.

following the close of each pay period. 8-4-103, C.R.S.

Time:

COLORADO

Department of Regulatory Agencies

orado Civil Rights Division

SERVICES, FACILITIES, PRIVILEGES, ADVANTAGES, or ACCOMMODATIONS to the PUBLIC.

CONFIRMING STATUS AS A SERVICE ANIMAL. AN ENTITY MAY MAKE THE FOLLOWING INQUIRIES:

2.) WHAT IS THE TASK OR WORK THE DOG IS TRAINED TO PERFORM?

1.) IS THIS DOG A SERVICE ANIMAL TRAINED TO PERFORM A TASK(S) OR WORK RELATED TO A DISABILITY?

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.

f 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.

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.

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.

Publication Date — May 2022

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.



DISCRIMINATION IN EMPLOYMENT



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, hair length 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. 6/3/24.

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; V/TTD RELAY: 711;

You have at least 1,250 hours of service for your employer during the 12 months After becoming aware that your need for leave is for a reason that may qualify under Where can I find more information You work for an elementary or public or private secondary school, or Call 1-866-487-9243 or visit dol.gov/fmla to learn more

vour leave. Your **employer** <u>cannot</u> 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

greater family or medical leave rights.

as if you had not taken leave, and

Effective 1/1/25: Use new version

released by each Decembe

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,

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 **<u>one</u>** 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.

discrimination causes or may cause discrimination in providing services program of any institution which receives Federal financial assistance, you under such programs. Title IX of the Education Amendments of 1972 prohibits should immediately contact the Federal agency providing such assistance. employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance. (Revised 6/27/2023)

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.

I request EMLA leave? Conv

Office of Personnel Management.

WHD or file a private lawsuit aga your employer in court. Scan the QR code to learn WAGE AND HOUR DIVISION about our WHD UNITED STATES DEPARTMENT complaint process WH1420 REV 04/23 OF LABOR

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

ccrd.colorado.gov

DISCRIMINATION IN PUBLIC ACCOMMODATIONS

Colorado Law Prohibits Discrimination in places of:

PUBLIC ACCOMMODATION

C.R.S. § 24-34-601 et seq.

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

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.

MEET THE DEFINITION OF A SERVICE ANIMAL. AN ENTITY MAY NOT REQUIRE OR REQUEST A LICENSE, REGISTRATION, OR OTHER DESIGNATION

THE MERE PRESENCE OF THE DOG MEANT TO PROVIDE EMOTIONAL SUPPORT/THERAPY/ AND/OR COMPANIONSHIP IS NOT SUFFICIENT TO

A SERVICE ANIMAL MUST BE UNDER THE CONTROL OF ITS HANDLER AT ALL TIMES. THE HANDLER IS RESPONSIBLE FOR THE CARE OF THE

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, INCLUDING TOILETING, FEEDING, AND OTHERWISE CARING FOR THE DOG. A SERVICE ANIMAL MAY BE DENIED ENTRY IF ITS

RETALIATION PROHIBITED: A PERSON WHO OPPOSES DISCRIMINATION, OR WHO PARTICIPATES IN THE INVESTIGATION OF DISCRIMINATION

COLO. CIVIL RIGHTS COMM'N RULE 20.4 — DISCRIMINATORY SIGNAGE IN PLACES OF PUBLIC ACCOMMODATION: No person shall post

CROWN Act of 2020: Discrimination on the basis of one's race includes hair texture, hair type, or a protective hairstyle commonly or historically

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

PAYDAY NOTICE

COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT DIVISION OF LABOR | www.colorado.gov/cdle/labor

NOTICE OF PAYDAYS

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

Pay periods can be no greater duration than a calendar month or 30 days, whichever is longer. Paydays must occur no later than 10 days

paydays and the time and place of payment, in accordance with the provisions of section 8-4-103, and also any changes concerning them

EMPLOYEES ARE PAID ON REGULAR PAYDAYS AS FOLLOWS:

Place:

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.

HAS ENGAGED IN PROTECTED ACTIVITY AND RETALIATION FOR ENGAGING IN A PROTECTED ACTIVITY IS PROHIBITED BY COLORADO LAW.

or permit to be posted in any place of public accommodation any sign which states or implies the following: "WE RESERVE THE RIGHT TO

associated with race, such as braids, locs, twists, tight coils or curls, cornrows, Bantu knots, Afros, and headwraps. eff. 9/13/20.

PLACE OF PUBLIC ACCOMMODATION MEANS: ANY PLACE OF BUSINESS engaged in any SALES to the PUBLIC and ANY PLACE OFFERING

BECAUSE OF: DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, GENDER EXPRESSION, MARITAL STATUS,

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination. For information, please contact The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

ANTI-DISCRIMINATION NOTICE

FAMLI PROGRAM



2023 FAMLI Program Notice

Deductions from Employee Wages start January 1, 2023

The employee share of FAMLI premiums is set 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 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 FAMLI Division.

Starting in 2023, employers may begin deducting up to 0.45% from employees' wages for FAMLI contributions. This can be done through a simple payroll deduction, and employees will notice the deduction on their regular paychecks. Employers are responsible for collecting those deductions and sending them into the FAMLI 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 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 used.
- 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 disgualified 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.

WORKPLACE PUBLIC HEALTH RIGHTS POSTER



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

<u>Updated July 14, 2023</u> may be updated periodically

COLORADO MINIMUM WAGE

COLORADO Department of Labor and Employment

COLORADO OVERTIME & MINIMUM PAY STANDARDS ORDER The COMPS Order (Colorado Overtime & Minimum Pay Standards) Poster & Notice

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: 1¹/₂ 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 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 untipped 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.

Time Worked: All on-duty or on-premises time that must be paid (Rule 1.9)

- Cleanup or setup (examples: put on or remove clothes, or gear, worn only at work)
- Checking in or out (timeclock, security or safety screening, etc.), or waiting to do so
- Receiving or sharing work information, or wait for tasks but not just off-duty time on premises
- Travel for employer benefit but not normal commuting (Rule 1.9.2)
- Sleep time required to be on-site but not if lengthy and uninterrupted (Rule 1.9.3)

Exemptions from COMPS (Rule 2.2 lists all; highlights below)

- Executive/supervisor, administrator, or professional: \$56,485 (updated yearly) in salary (not hourly pay)
- Other high-level work: non-manual jobs paid 2¼ times the above salary; 1/5 owners who actively manage
- Some (not all) salespeople, computer professionals, drivers, camp/outdoor ed staff, or property managers
- Duties to pay wages, including most limits on deductions, still apply if exempt from COMPS

Employer Responsibilities (Rule 7)

- Give employees pay statements (total pay, rate, tips, credits, and time worked), and keep for 3 years
- Display this poster/notice where easily seen (or give to employees); also include in any handbook/manual
- Use translations (available from this Division) of this poster/notice for employees with limited English
- Not giving (or undercutting) posters or notices may disallow employer credits, deductions, or exemptions
- Individuals with control over work may be liable for wages and violations, even at incorporated employers

Complaint & Anti-Retaliation Rights (Rule 8)

Since you last filed form W-4 with your employer did you...

• Your nonwage income (interest, dividends, capital gains, etc.)?

See your employer for a copy of Form W-4 or call the IRS at

• Your family wage income (you or your spouse started or ended a job)?

To any of these questions or you owed extra tax when you filed your last

- File complaints in the Division or Court, or send the Division confidential tips
- Retaliation, or actions interfering with rights, may yield fines or other consequences
- Immigration status is irrelevant to these rights, and can't be used to interfere with rights

DIVISION OF LABOR STANDARDS & STATISTICS

Spanish guidance & complaints:

LeyesLaboralesDeColorado.gov

WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING

1-800-829-3676

information on this subject.

IRS

Department of the Treasur

Internal Revenue Service www.irs.gov

This notice in other

in other languages:

Now is the time to check your withholding. For more details, get

Publication 919, How Do I Adjust My Tax Withholding?, or use the

Withholding Calculator at **www.irs.gov/individuals** on the IRS website.

employees will see it. Please indicate where they can get forms and

Employer: Please post or publish this Bulletin Board Poster so that your

cdle.colorado.gov/LaborStandardsPosters

Publication 213

Cat. No. 11047P

(Rev. 8-2009)

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. • 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. • 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: • Paid leave cannot be counted as an "absence" that may result in firing or

(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);

(4) grieving, funeral/memorial attendance, or financial/legal needs after a death of a family member;

(5) due to inclement weather, power/heat/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 6) 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 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.

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 provider) or (2) above, or legal document (restraining order, police report, etc.).

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.

This Poster summarizes two Colorado workplace public health laws: C.R.S. § 8-13.3-401 et seq., (paid leave), and C.R.S. § 8-14.4-101 et seq. (healthy 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 is now 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.

EMPLOYEE POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers employer. The law does not preempt any provision of any State or local law from using lie detector tests either for pre-employment screening or or any collective bargaining agreement which is more restrictive with 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

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



Contact Us:

Marry or divorce?

• Your tax credits?

Change your name?

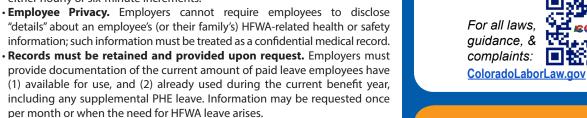
Gain or lose a dependent?

Your itemized deductions

If you can answer "YES"...

Were there major changes to...

return, you may need to file a new form W-4.



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Retaliation or Interference with HFWA Rights

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: **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 safetv 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.

UNEMPLOYMENT INSURANCE 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.

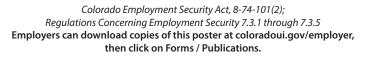
If you believe you have been improperly classified as an independent contractor and are really performing duties that fit the criteria of an employee, visit colorado.gov/cdle/TipForm, or call us at 303-318-9100 and select Option 4. To be classified as an employee, you must meet the criteria in Colorado 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





AVISO A LOS TRABAJADORES

USTED TIENE EL DERECHO DE:

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

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

Los empleadores están obligados a cumplir con la ley al pagar salarios por hora, horas extras, y que lo cubra adecuadamente para propósitos del seguro de desempleo y compensación de trabajadores. Como trabajador usted tiene ciertos derechos, sea como empleado o contratista independiente. La clasificación incorrecta de los empleados como contratistas independientes y otras violaciones de la ley laboral crean muchos problemas, tanto para las empresas que respetan la ley y para los trabajadores en Colorado.

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

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

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





Job Safety and Health IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a workrelated 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.

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.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eve.
- 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.
- On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHAsupported consultation programs in every state.



rights under the Act.

to have test results disclosed to unauthorized persons. **ENFORCEMENT** The Secretary of Labor may bring court actions to restrain **EXEMPTIONS** Federal, State and local governments are not affected by the violations and assess civil penalties against violators. Employees or job law. Also, the law does not apply to tests given by the Federal Government applicants may also bring their own court actions. to certain private individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered **THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE** in the private sector, subject to restrictions, to certain prospective employees **EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.**

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

	WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR	≋WH ⊁	
ţ	1-866-487-9243 www.dol.gov/agencies/whd	WH1462 REV 02/22	

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

POR LEY EL EMPLEADOR ESTÁ OBLIGADO A PUBLICAR ESTE AVISO

Colorado Employment Security Act (Ley de Seguridad de Empleo de Colorado), 8-74-101 (2); Regulations Concerning Employment Security (Reglamentos Relativos a la Seguridad de Empleo), 7.3.1 a 7.3.5 Los empleadores pueden descargar copias de este póster en coloradoui.gov/employer, luego hacer clic en Forms / Publications.





