

THE EMPLOYER IS REQUIRED BY LAW TO POST THIS NOTICE

Colorado Employment Security Act (CESA), 8-74-101(2); Regulations Concerning Employment Security 7.3.1 through 7.3.5

NOTICE TO WORKERS

You have the right to be properly classified as an employee if you meet the criteria in Colorado Revised Statute 8-70-115. If you believe you have been improperly classified as an independent contractor, there is a complaint process available to you. On the first offense, an employer may be fined up to \$5,000 per misclassified employee. To file a complaint, call the Unemployment Insurance Audit section at 303-318-9100 and select Option **3**, or visit www.colorado.gov/cdle/ui.

You, as an employee, 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 www.colorado.gov/cdle/ui and click on File for Unemployment. You may also call one of the following numbers instead:

303-318-9000

(Denver-metro area)

1-800-388-5515

(Outside Denver-metro area)

TDD 303-318-9016

(Hearing Impaired Denver-metro area)

TDD 1-800-894-7730

(Hearing Impaired Outside
Denver-metro area)

If your hours of work and pay are reduced, you may be entitled to partial unemployment benefits.

IMPORTANT NOTICE: Be sure to have your social security number and the name and address of your last employer available when you call to file a claim for unemployment insurance benefits.

AVISO PARA EMPLEADOS

Usted tiene el derecho de ser propiamente clasificado como un empleado si se cumplen los criterios en Estatuto Revisado de Colorado 8-70-115. Si cree que ha sido impropriadamente clasificado como un contratista independiente, hay un proceso de queja disponible. Por la primera ofensa, un empleador puede ser multado hasta \$5,000 por cada empleado misclasificado. Para presentar una queja, llame a la sección de Auditoría de Seguro de Desempleo al 303-318-9100, y marque Opción **3** o visite www.colorado.gov/cdle/ui.

Usted, como empleado, tiene derecho a los beneficios de seguro de desempleo si se encuentra desempleado y no es responsable por la separación. La compañía contribuye al seguro de desempleo y no puede deducirlos de su sueldo.

Si se encuentra desempleado y desea reclamar los beneficios de seguro de desempleo, vaya al sitio www.colorado.gov/cdle/ui y haga click en en enlace File for Unemployment. También puede llamar a los números siguientes.

303-318-9333

(Área metropolitana de Denver)

1-866-422-0402

(Fuera del área metropolitana de Denver)

TDD 303-318-9016

(Impedimento Auditivo Área de Denver)

TDD 1-800-894-7730

(Impedimento Auditivo Fuera del área
metropolitana de Denver)

Si sus horas de trabajo y pago son reducidas, usted puede tener derecho a los beneficios parciales de seguro de desempleo.

AVISO IMPORTANTE: Asegúrese de tener su número de seguro social y el nombre y la dirección de su empleo mas reciente cuando llame para establecer su reclamo de seguro de desempleo.

Employers can download copies of this poster at www.colorado.gov/cdle/ui, click on **Forms & Publications**, and then click on **Employer Forms**.

Additional copies can be requested by contacting the Colorado Department of Labor and Employment, Unemployment Insurance Program, P.O. Box 8789, Denver, Colorado 80201-8789 or by calling 303-318-9100 or 1-800-480-8299

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.**

AVISO

SI SE LASTIMA EN EL TRABAJO, DEBE DARLE UN AVISO POR ESCRITO A SU EMPLEADOR DENTRO DE CUATRO DÍAS LABORABLES DEL ACCIDENTE, SEGÚN A LA SECCIÓN DE LOS ESTATUOS REVISADOS DE COLORADO 8-43-102(1) Y (1.5).

SI EL ACCIDENTE RESULTA DEBIDO AL USO DE ALCOHOL O UNA SUSTANCIA CONTROLADA, SUS BENEFICIOS DE LA INCAPACIDAD DE LA COMPENSACIÓN DE LOS TRABAJADORES PUEDEN SER REDUCIDOS POR UN MEDIO EN ACUERDO DE LA SECCIÓN DE LOS ESTATUOS REVISADOS DE COLORADO 8-42-112.5.



John W. Hickenlooper
Governor

Barbara J. Kelley
Executive Director

This Establishment Complies with the Colorado Anti-Discrimination Laws

Discrimination based on the following factors is illegal in the areas of:

► **Employment**

Race, color, religion, creed, national origin, ancestry, sex, age, sexual orientation (incl. transgender status), physical or mental disability, marriage to a co-worker and retaliation for engaging in protected activity (opposing a discriminatory practice or participating in an employment discrimination proceeding)

► **Housing**

Race, color, religion, creed, national origin, ancestry, sex, sexual orientation (incl. transgender status), physical or mental disability, marital status, families with children under the age of 18, and retaliation for engaging in protected activity (opposing a discriminatory practice or participating in a housing discrimination proceeding)

► **Public Accommodation**

Race, color, religion, creed, national origin, ancestry, sex, physical or mental disability, sexual orientation (incl. transgender status), marital status, and retaliation for engaging in protected activity (opposing a discriminatory practice or participating in a public accommodations discrimination proceeding)

REGULATIONS PROMULGATED BY THE COLORADO CIVIL RIGHTS COMMISSION

Rule 20.1 - Every employer, employment agency, labor organization, and place of public accommodation, amusement and resort shall post and maintain at its establishment a notice furnished by the Commission which contains the provisions of Parts 3 through 7 of Article 34 of Title 24, C.R.S. The Commission will not charge for the notices.

- (A) With respect to employers and employment agencies, such notices must be posted conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment, and at or near each location where employees' services are performed.
- (B) With respect to labor organizations, such notices must be posted conspicuously in easily accessible and well-lighted places customarily frequented by members and applicants for membership.
- (C) With respect to places of public accommodation, amusement and resort, such notices must be posted conspicuously in easily accessible and well-lighted places customarily frequented by people seeking accommodation, amusement, recreation, or other services offered to the general public.

Rule 20.2 - Pursuant to § 24-34-501, C.R.S., *et seq.*, real estate brokers or agents, home builders, home mortgage lenders and all other persons who transfer, rent, or finance real estate shall obtain one or more printed nondiscrimination notices from the Commission and post the notices in all places where real estate transfers, rentals and loans are executed. The Commission will not charge for the notices. The notices shall be posted and maintained in conspicuous, well-lighted and easily accessible places ordinarily frequented by prospective buyers, renters, borrowers, and the general public.

Rule 20.3 - No employer, employment agency, or labor organization as defined in § 24-34-401, C.R.S., shall suggest or require that applicants submit their photographs prior to their employment or placement, unless the requirement is based upon a *bona fide* occupational qualification.

Rule 20.4 - No person shall post or permit to be posted in any place of public accommodation any sign which states or implies the following:

WE RESERVE THE RIGHT TO REFUSE SERVICE TO ANYONE

Rule 20.5 - Preservation of Records (A) Retention of Records During Processing of Charge or Complaint. In situations where a charge or complaint of discrimination is filed pursuant to Parts 3 through 7 of Article 34 of Title 24, C.R.S. (1988), all relevant records shall be kept until final disposition. Relevant records include personnel or employment records relating to the charging party or complainant and to all employees holding similar positions to the one the charging party or complainant held or sought, as well as application forms or test papers of all candidates for the positions, registration records, offers, leases, contracts, correspondence, business records, etc. Final disposition of the charge or complaint occurs when the statutory time periods for all appeals have expired. (B) The failure to comply with this regulation shall create a refutable presumption, either by the Commission, or the hearing examiner, that the records contained information adverse to the interests of the party.

www.dora.colorado.gov/crd



COLORADO MINIMUM WAGE ORDER 31 POSTER

COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT
DIVISION OF LABOR

\$8.23

per hour effective January 1, 2015

\$8.00 per hour effective January 1, 2014

\$7.78 per hour effective January 1, 2013

In addition to state minimum wage requirements, there are also federal minimum wage requirements. If an employee is covered by both state and federal minimum wage laws, the law which provides a higher minimum wage or sets a higher standard shall apply.

Colorado Minimum Wage Order Number 31 regulates wages, hours, overtime, and working conditions for covered employees in the following industries: Retail and Service, Commercial Support Service, Food and Beverage, and Health and Medical.

MINIMUM WAGE

Minimum wage shall be paid to all adult employees and emancipated minors whether employed on an hourly, piecework, commission, time, task, or other basis. This minimum wage shall be paid to employees who receive the state or federal minimum wage.

WORKDAY

Any consecutive twenty-four (24) hour period starting with the same hour each day and the same hour as the beginning of the workweek. The workday is set by the employer and may accommodate flexible work shift scheduling.

WORKWEEK

Any consecutive seven (7) day period starting with the same calendar day and hour each week. A workweek is a fixed and recurring period of 168 hours, seven (7) consecutive twenty-four (24) hour periods.

OVERTIME

Employees shall be paid time and one-half of the regular rate of pay for any work in excess of: (1) forty (40) hours per workweek; (2) twelve (12) hours per workday; or (3) twelve (12) consecutive hours without regard to the starting and ending time of the workday (excluding duty free meal periods), whichever calculation results in the greater payment of wages. Hours worked in two or more workweeks shall not be averaged for computation of overtime. Performance of work in two or more positions at different pay rates for the same employer shall be computed at the overtime rate based on the regular rate of pay for the position in which the overtime occurs, or at a weighted average of the rates for each position, as provided in the Fair Labor Standards Act.

TIPPED EMPLOYEE MINIMUM WAGE

\$5.21 per hour effective January 1, 2015

\$4.98 per hour effective January 1, 2014

\$4.76 per hour effective January 1, 2013

A tipped employee is defined as any employee engaged in an occupation in which he or she customarily and regularly receives more than \$30.00 a month in tips. Tips include amounts designated as a "tip" by credit card customers on their charge slips. Nothing herein contained shall prevent an employer covered hereby from requiring employees to share or allocate such tips or gratuities on a pre-established basis among other employees of said business who customarily and regularly receive tips. Employer-required sharing of tips with employees who do not customarily and regularly receive tips, such as management or food preparers, or deduction of credit card processing fees from tipped employees, shall nullify allowable tip credits towards the minimum wage authorized in section 3(c). No more than \$3.02 per hour in tip income may be used to offset the minimum wage of tipped employees.

REST PERIODS

Every employer shall authorize and permit rest periods, which insofar as practicable, shall be in the middle of each four (4) hour work period. A compensated ten (10) minute rest period for each four (4) hours or major fractions thereof shall be permitted for all employees. Such rest periods shall not be deducted from the employee's wages. It is not necessary that the employee leave the premises for said rest period.

MEAL PERIODS

Employees shall be entitled to an uninterrupted and "duty free" meal period of at least a thirty minute duration when the scheduled work shift exceeds five consecutive hours of work. The employees must be completely relieved of all duties and permitted to pursue personal activities to qualify as a non-work, uncompensated period of time. When the nature of the business activity or other circumstances exist that makes an uninterrupted meal period impractical, the employee shall be permitted to consume an "on-duty" meal while performing duties. Employees shall be permitted to fully consume a meal of choice "on the job" and be fully compensated for the "on-duty" meal period without any loss of time or compensation.

UNIFORMS

Where the wearing of a particular uniform or special apparel is a condition of employment, the employer shall pay the cost of purchases, maintenance, and cleaning of the uniforms or special apparel. If the uniform furnished by the employer is plain and washable and does not need or require special care such as ironing, dry cleaning, pressing, etc., the employer need not maintain or pay for cleaning. An employer may require a reasonable deposit (up to one-half of actual cost) as security for the return of each uniform furnished to employees upon issuance of a receipt to the employee for such deposit. The entire deposit shall be returned to the employee when the uniform is returned. The cost of ordinary wear and tear of a uniform or special apparel shall not be deducted from the employee's wages or deposit.

RECOVERY OF WAGES

An employee receiving less than the legal minimum wage applicable to such employee is entitled to recover in a civil action the unpaid balance of the full amount of such minimum wage, together with reasonable attorney fees and court costs, notwithstanding any agreement to work for a lesser wage, pursuant to § 8-6-118 C.R.S. (2014). Alternatively, an employee may elect to pursue a minimum wage complaint through the division's administrative procedure as described in the Colorado Wage Act, § 8-4-101, et. seq., C.R.S. (2014).

DUAL JURISDICTION

Whenever employers are subject to both federal and Colorado law, the law providing greater protection or setting the higher standard shall apply. For information on federal law contact the nearest office of the U. S. Department of Labor, Wage and Hour Division, 1999 Broadway, Suite 710, Denver, CO 80201-6550. Telephone (720) 264-3250.

MUST BE POSTED IN AN AREA FREQUENTED BY EMPLOYEES WHERE IT MAY BE EASILY READ

www.colorado.gov/cdle/labor | 303-318-8441 | 1-888-390-7936