

# Colorado



## LABOR LAW POSTINGS

# Colorado Labor Law Postings

Thank you for using GovDocs! This file contains the following state postings:

Name of Posting	Posting Code	Posting Requirements	Agency Responsible
Unemployment Insurance (bi-lingual)	LCO01	All employers	Division of Employment and Training
Workers' Compensation	LCO02	All employers	CO Div of Workers' Compensation
Minimum Wage Order 31	LCO03	All employers	CO Div of Labor
State of Colorado – Anti-Discrimination	LCO04	All employers	CO Civil Rights Commission
Notice of Injury	LCO05	All employers	CO Div of Workers' Compensation
Pay Day Notice	LCO06	All employers	CO Div of Labor
E-Verify	LCO17	Required for employers who utilize E-Verify	Department of Homeland Security
E-Verify (Spanish)	LCO18	Required for employers who utilize E-Verify	Department of Homeland Security
Right to Work	LCO19	Required for employers who utilized the E-Verify system	Department of Justice
Right to Work (Spanish)	LCO20	Required for employers who utilized the E-Verify system	Department of Justice
Youth Law	LCO21	Recommended for all employers with employees under age 18 years of age	CO Div of Labor

## **To Print and Post:**

This file is print ready, according to size requirements from the issuing agency. To ensure compliance, print all postings as provided. Postings requiring different paper size and/or color print are noted below as exceptions. Please note: In some cases, individual postings are set up to print on multiple pages.

- 1.) This file is formatted to print each of the postings listed above on 8.5"x11" paper.
- 2.) For multiple-page postings, we recommend taping the pages together before displaying.
- 3.) Review each posting and its requirements carefully to check for applicability to your business.
- 4.) Postings applicable to your business should be made accessible to all employees (common display locations include an employee lounge, a break room, or a cafeteria).

# 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](http://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](http://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](http://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](http://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](http://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

# 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 may 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 3 days' disability unless the period of disability exceeds two weeks.

You are entitled to reasonable and necessary medical treatment of compensable injuries or occupational diseases. If you notify your employer of an injury or occupational disease and are not offered medical care, you may select the services of a licensed physician or chiropractor.

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 visit our website at: [www.coworkforce.com/dwc/](http://www.coworkforce.com/dwc/).

**COLORADO DIVISION OF WORKERS' COMPENSATION**  
**633 17<sup>TH</sup> Street, Suite 400, Denver, CO 80202-3626**

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



# COLORADO MINIMUM WAGE ORDER 32 POSTER

## COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT

### DIVISION OF LABOR

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# \$8.31

per hour effective January 1, 2016

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**\$8.23** per hour effective January 1, 2015

**\$8.00** per hour effective January 1, 2014

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 32 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

**\$5.29** per hour effective January 1, 2016

\$5.21 per hour effective January 1, 2015

\$4.98 per hour effective January 1, 2014

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. (2015). 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. (2015).

## **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, PO Box 46550 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](http://www.colorado.gov/cdle/labor) | 303-318-8441 | 1-888-390-7936**



**COLORADO**

**Department of  
Regulatory Agencies**

Colorado Civil Rights Division

Rufina A. Hernández, Colorado Civil Rights Division, Director

Joe Neguse, Department of Regulatory Agencies, Executive Director

John Hickenlooper, Governor

## **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](http://www.dora.colorado.gov/crd)**

**Denver:** 1560 Broadway, Suite 1050, Denver, CO 80202, Phone: 303.894.2997, Fax: 303.894.7830, Toll Free: 800.262.4845 V/TDD 711 **Pueblo:** 301 North Main Street, Suite 305, Pueblo, CO, 81003, Phone: 719.542.1298, Fax: 303.894.7830 **Grand Junction:** 222 South 6th Street, Suite 301, Grand Junction, CO 81501, Phone: 970.248.7304, Fax: 303.894.7830



6/2015

# **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.**



# 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 can 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:

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Place:

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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.

# This Organization Participates in E-Verify



This employer will provide the Social Security Administration (SSA) and, if necessary, the Department of Homeland Security (DHS), with information from each new employee's Form I-9 to confirm work authorization.

**IMPORTANT:** If the Government cannot confirm that you are authorized to work, this employer is required to give you written instructions and an opportunity to contact DHS and/or the SSA before taking adverse action against you, including terminating your employment.

Employers may not use E-Verify to pre-screen job applicants and may not limit or influence the choice of documents you present for use on the Form I-9.

To determine whether Form I-9 documentation is valid, this employer uses E-Verify's photo matching tool to match the photograph appearing on some permanent resident cards, employment authorization cards, and U.S. passports with the official U.S. government photograph. E-Verify also checks data from driver's licenses and identification cards issued by some states.

If you believe that your employer has violated its responsibilities under this program or has discriminated against you during the employment eligibility verification process based upon your national origin or citizenship status, please call the Office of Special Counsel at 800-255-7688, 800-237-2515 (TDD) or at [www.justice.gov/crt/osc](http://www.justice.gov/crt/osc).

## E-Verify Works for Everyone

For more information on E-Verify, please contact DHS:

**888-897-7781**

**[www.dhs.gov/E-Verify](http://www.dhs.gov/E-Verify)**

### NOTICE:

**Federal law requires all employers to verify the identity and employment eligibility of all persons hired to work in the United States.**



**E-VERIFY IS A SERVICE OF DHS AND SSA**

The E-Verify logo and mark are registered trademarks of Department of Homeland Security. Commercial sale of this poster is strictly prohibited.

# Esta organización participa en E-Verify



Este empleador proporcionará a la Administración del Seguro Social (SSA, por sus siglas en inglés) y, de ser necesario, al Departamento de Seguridad Nacional (DHS, por sus siglas en inglés) la información incluida en el Formulario I-9 de todo empleado nuevo con el propósito de confirmar su autorización de trabajo.

**IMPORTANTE:** Si el gobierno no puede confirmar que usted tiene autorización para trabajar, el empleador debe suministrarle las instrucciones por escrito y darle la oportunidad de ponerse en contacto con DHS o SSA antes de sancionarlo de cualquier forma o finalizar la relación laboral.

Los empleadores no pueden utilizar E-Verify para realizar preselecciones de solicitantes y no pueden limitar ni influenciar la selección de los documentos que usted presente para su inclusión en el Formulario I-9.

Para determinar si los documentos incluidos en el Formulario I-9 son válidos, este empleador utiliza la técnica de comparación fotográfica para comparar la fotografía que aparece en las Tarjetas de Residente Permanente, Tarjetas de Autorización de Empleo y pasaportes de los EE. UU. con la fotografía oficial del gobierno de los EE. UU. Asimismo, E-Verify verifica los datos incluidos en licencias de conducir y tarjetas de identificación emitidas por algunos estados.

Si considera que su empleador ha infringido sus responsabilidades en virtud de este programa o lo ha discriminado durante el proceso de verificación de la elegibilidad de empleo por su origen nacional o estatus de ciudadanía, comuníquese con la Oficina del Consejero Especial llamando al 800-255-7688, 800-237-2515 (para personas con impedimentos auditivos) o visitando [www.justice.gov/crt/osc](http://www.justice.gov/crt/osc).

## E-Verify funciona para todos

Para obtener más información sobre E-Verify, comuníquese con DHS al:

**888-897-7781**

**[www.dhs.gov/E-Verify](http://www.dhs.gov/E-Verify)**

### AVISO:

**La ley federal exige a todos los empleadores que verifiquen la identidad y la elegibilidad de empleo de todas las personas contratadas en los Estados Unidos.**



**E-VERIFY IS A SERVICE OF DHS AND SSA**

El logotipo y la marca de E-Verify son marcas registradas del Departamento de Seguridad Nacional. Queda estrictamente prohibida la venta comercial de este afiche.

# IF YOU HAVE THE RIGHT TO WORK, Don't let anyone take it away.



**If you have the legal right to work in the United States, there are laws to protect you against discrimination in the workplace.**

**You should know that –**

- In most cases, employers cannot deny you a job or fire you because of your national origin or citizenship status or refuse to accept your legally acceptable documents.
- Employers cannot reject documents because they have a future expiration date.

- Employers cannot terminate you because of E-Verify without giving you an opportunity to resolve the problem.
- In most cases, employers cannot require you to be a U.S. citizen or a lawful permanent resident.

If any of these things have happened to you, contact the Office of Special Counsel (OSC).

For assistance in your own language:  
Phone: 1-800-255-7688 or  
(202) 616-5594  
For the hearing impaired:  
TTY 1-800-237-2515 or  
(202) 616-5525

E-mail: [oscrt@usdoj.gov](mailto:oscrt@usdoj.gov)

Or write to:  
U.S. Department of Justice – CRT  
Office of Special Counsel – NYA  
950 Pennsylvania Ave., NW  
Washington, DC 20530

**U.S. Department of Justice  
Civil Rights Division**

**Office of Special Counsel for  
Immigration-Related Unfair  
Employment Practices**



[www.justice.gov/crt/about/osc](http://www.justice.gov/crt/about/osc)

# SI USTED TIENE DERECHO A TRABAJAR, no deje que nadie se lo quite.



**Si usted tiene el derecho a trabajar legalmente en los Estados Unidos, existen leyes que lo protegen contra la discriminación en el trabajo.**

**Usted debe saber que:**

- En la mayoría de los casos, los empleadores no pueden negarle un empleo o despedirlo debido a su país de origen o estatus migratorio, o negarse a aceptar sus documentos válidos y legales.
- Los empleadores no pueden rechazar documentos por que tienen una fecha de vencimiento futura.

- Los empleadores no pueden despedirlo debido a E-Verify, sin darle una oportunidad de resolver el problema.
- En la mayoría de los casos, los empleadores no pueden exigir que usted sea ciudadano estadounidense o residente legal permanente.

Si usted se ha encontrado en alguna de estas situaciones, contacte a la Oficina del Consejero Especial (OSC).

Para ayuda en su propio idioma:

Teléfono: 1-800-255-7688 o 202-616-5594

Para las personas con discapacidad auditiva:

TTY 1-800-237-2515 o 202-616-5525

E-mail: [oscrt@usdoj.gov](mailto:oscrt@usdoj.gov)

O escriba a:

U.S. Department of Justice - CRT  
Office of Special Counsel- NYA  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

**Departamento de Justicia de EE.UU.**

**División de Derechos Civiles**

**Oficina del Consejero Especial Para Prácticas Injustas en el Empleo Relacionadas a Inmigración**



[www.justice.gov/crt/about/osc](http://www.justice.gov/crt/about/osc)

# Colorado Youth Law

The Colorado Youth Employment Opportunity Act (C.R.S. 8-12-101 *et seq.*) regulates the employment of minors in Colorado. The Fair Labor Standards Act (FLSA) and its regulations do not permit the employment of minors in a variety of circumstances. When both federal and state laws apply, the more stringent standard must be observed. Contact the U.S. DOL for information on FLSA and federal youth laws ([www.dol.gov](http://www.dol.gov) or 1-866-4USWAGE).

## DEFINITION OF A MINOR (8-12-103(5))

A minor is any person under the age of 18, except a person who has received a high school diploma or a passing score on the general educational development (GED) examination.

## EXEMPTIONS FROM CYEOA (8-12-104)

The CYEOA does not generally apply to the following:

1. Schoolwork and supervised educational activities.
2. Home chores.
3. Work done for a parent or guardian, except where the parent or guardian receives any payment therefor.
4. Newsboys and newspaper carriers.
5. Actors, models, and performers are exempt from the age-related restrictions for minors under age fourteen.

## WORK PERMITS (8-12-111)

Work permits are **not** required by Colorado law.

### Age Certificates

Any employer desiring proof of the age of any minor employee or prospective employee may require the minor to submit an age certificate. Age certificates are issued by or under the authority of the school superintendent of the district or county in which the applicant resides.

### School Release Permits

Any minor fourteen or fifteen years of age who wishes to work on school days during school hours shall first secure a school release permit. Such permit is issued only by the school district superintendent, his agent, or some other person designated by the board of education.

## REQUEST AN EXEMPTION (8-12-104)

- The Director may grant exemptions from some provisions of the CYEOA.
- Any employer, minor, minor's parents or guardian, school official, or youth employment specialist may request an exemption.
- Exemptions are evaluated on a case-by-case basis, and are granted or denied in accordance with the best interests of the minor.
- Exemption determinations involve the scrutiny of such factors as the minor's previous training and safety concerns.

## PERMISSIBLE OCCUPATIONS (8-12-106, 107, 108, 109)

### Minors under the age of 9 cannot generally be employed.

#### Permissible at age 9 or older:

1. Delivery of handbills and advertising.
2. Shoe shining.
3. Gardening and care of lawns involving no power-driven lawn equipment.
4. Cleaning of walks involving no power-driven snow-removal equipment.
5. Casual work usual to the home of the employer and not specifically prohibited.
6. Caddying on golf courses.
7. Occupations similar to the above.

#### Permissible at age 12 or older:

1. Sale and delivery of periodicals.
2. Door-to-door selling and delivery of merchandise.
3. Baby-sitting.
4. Gardening and care of lawns, and cleaning of walks; contact the Division regarding use of power-driven equipment.
5. Non-hazardous agricultural work.
6. Occupations similar to the above.

#### Permissible at age 14 or older:

1. Non-hazardous occupations in manufacturing.
2. Public messenger service and errands by foot, bicycle and public transportation.
3. Operation of automatic enclosed freight and passenger elevators.
4. Janitorial and custodial service.
5. Office work and clerical work.
6. Warehousing and storage, including unloading and loading of vehicles.
7. Non-hazardous construction and non-hazardous repair work.
8. Occupations in retail food service.
9. Certain gasoline service occupations.
10. Occupations in retail stores.
11. Occupations in restaurants, hotels, motels, or other public accommodations.
12. Occupations related to parks or recreation.
13. Occupations similar to the above.

#### Permissible at age 16 or older:

The occupations listed above and the operation of a motor vehicle if the minor is licensed to operate the motor vehicle for such use pursuant to Colorado Revised Statutes Article 2, Title 42.

This complimentary guide is provided by the Colorado Division of Labor. Its condensed and simplified content is for general informational purposes only, and does not constitute legal advice. For more information contact the Division, an attorney, or an HR professional.

## HAZARDOUS / PROHIBITED (8-12-110)

1. Operation of any high pressure steam boiler or high temperature water boiler.
2. Work which primarily involves the risk of falling from any elevated place located ten feet or more above the ground except that work defined as agricultural involving elevations of twenty feet or less above ground.
3. Manufacturing, transporting, or storing of explosives.
4. Mining, logging, oil drilling, or quarrying.
5. Any occupation involving exposure to radioactive substances or ionizing radiation.
6. Operation of power-driven machinery:
  - a) Woodworking machines
  - b) Metal-forming machines
  - c) Punching or shearing machines
  - d) Bakery machines
  - e) Paper products machines
  - f) Shears
  - g) Automatic pin-setting machines
  - h) Power food slicers and grinders
7. Any other power-driven machinery deemed hazardous by the Director.
8. Slaughter of livestock and rendering and packaging of meat.
9. Occupations directly involved in the manufacture of brick or other clay construction products, or silica refractory products.
10. Wrecking or demolition, but not including manual auto wrecking.
11. Roofing.
12. Occupations in excavation operations.

## WORK HOUR RESTRICTIONS (8-12-105)

### General Restrictions

No employer shall be permitted to work a minor more than forty hours in a week or more than eight hours in any twenty-four-hour period.

### School Day Restrictions

On school days, during school hours, no minor under the age of sixteen shall be permitted employment except as provided by a school release permit. After school hours no minor under the age of sixteen shall be permitted to work in excess of six hours unless the next day is not a school day.

### Nighttime Restrictions

Except for babysitters, no minor under the age of sixteen shall be permitted to work between the hours of nine-thirty p.m. and five a.m., unless the next day is not a school day. An exception to this rule is a minor employed as an actor, model, or performer.