



KNOWLEDGE #3: Colorado Wage & Hour Rights for Construction Workers

Each **KNOWLEDGE** (Knowledge for Workers on Labor Law is Empowering & Drives Good Employment) summarizes key labor rights, but is not binding law itself. Each **INFO** (Interpretive Notice & Formal Opinion) gives more detail on each topic.

<p>What PAY Do I Have a Right to?</p> <p><i>details in INFOS:</i> #1: key wage rules, & who's covered by them #3: what counts as wages & how they must be paid #16: deductions #20: what time is paid</p>	<p>Minimum Wage</p>	<p>In 2023, \$13.65 (\$17.29 in Denver); in 2024, \$14.42 (\$18.29 in Denver)</p> <ul style="list-style-type: none"> The Division website posts all annual increases and local minimum wages
	<p>Overtime Pay ("Time & a half")</p>	<p>1½ times the regular pay rate: required after 40 hours a week or 12 a day, ✓ including for those with non-hourly pay — salary, piece rate, etc., ✗ except not for salaried supervisors or certain others with higher-level duties</p>
	<p>Pay for all Time Worked</p>	<p>All time spent for the employer's benefit must be paid, including: ✓ required time at any location, even just to wait (except some sleep time) ✓ check-in/out – timeclock, screening, gear pickup, time in line, etc. ✓ clothing/gear, setup/cleanup, or meeting/paperwork time outside shifts ✓ travel between worksites/offices or special trips – but not usual commutes</p>
	<p>Deductions from Pay, or Charges to Employees</p>	<ul style="list-style-type: none"> Lodging: not if use is required; only if in writing; & at most \$25-\$100/week Meals: only if optional, & for a meal's fair value or actual cost without profit Uniforms: not if required; & employers can't charge for cleaning or wear/tear Equipment: not for items that are for employer benefit; not if the cost drops pay below minimum wage; & only if employees agree in writing Not for: poor work quality, quitting without notice, etc.
<p>What BREAKS & TIME OFF Do I Have a Right to?</p> <p><i>details in INFOS:</i> #4: breaks #6: paid leave</p>	<p>Rest Breaks (paid)</p>	<p>10 minutes every 4 hours (or multiple 5-minute breaks, in some situations) • duty-free, but the employer can require you to stay at the workplace</p>
	<p>Meal Breaks (unpaid if duty-free)</p>	<p>30 minutes, in workdays of over 5 hours • duty-free & free to go off-site – if not, it's paid time, & you're allowed to eat</p>
	<p>Paid Leave</p>	<p>1 hour per 30 worked, up to 48 hours a year, for worker or family needs: ✓ for any medical care – diagnosis, care, treatment, or preventative care ✓ when a mental or physical illness, injury, or condition prevents working ✓ due to domestic abuse, sex assault, or criminal harassment ✓ bereavement, or unexpected school closure or home evacuation (as of 8/7/23)</p>
<p>WHEN Do I Have a Right to Be Paid?</p>	<p>Regular Paydays</p>	<p>Employers must pay at least monthly, and post notice of paydays</p>
	<p>Departing Employees' Pay</p>	<p>All earned pay: due the next payday (or immediately if terminated), including: ✓ unused vacation pay, including paid time off that can be used for vacation ✗ but not sick, bereavement, or other pay limited to specific needs</p>
<p>Can an AGREEMENT Take Away My Rights?</p>	<p>No:</p>	<p>No waiver, policy, or agreement (collective bargaining or individual) can allow: ✗ not paying minimum wage, overtime, or for any "time worked" ✗ disallowing breaks or sick leave, or making all leave unpaid ✗ misclassifying employees as independent contractors — look to actual facts, not just what documents say (contract, 1099, etc.), such as: - does the hirer benefit like a customer (with limited control, often in specialty work) or an employer (with more control, often for its primary work)? <i>and</i> - does the worker benefit like an employee or like someone running an independent business not subject to employer control?</p>
	<p>But:</p>	<p>Employees and employers can agree to: ✓ any pay rate (at least the minimum wage or direct care wage rate) ✓ any schedule or number of hours (with all required breaks) ✓ what if any paid time off is earned (other than required sick leave)</p>
<p>How Can I PROTECT My Rights?</p> <p><i>details in INFOS:</i> #2: complaints & investigations</p>	<p>What's Protected from Retaliation or Interference</p>	<p>You have a right to complain of violations, or assert your rights: ✓ as to wages or hours, including breaks and family/medical leave ✓ to talk or organize about work with others, informally or with a union ✓ against various unsafe or illegal workplace conditions</p>
	<p>File a Claim, or a Confidential Tip</p>	<p>Report violations as to wages or hours (including breaks or leave), or retaliation: ✓ as a complaint to the Division, or in court, or ✓ as a confidential tip to the Division, by email or phone Call or email the Division with any questions, in English or Spanish.</p>