Interpretive Notice & Formal Opinion (“INFO”) #12:

Summary: Requirements of the Agricultural Labor Rights & Responsibilities Act (ALRRA)

(1) Wages & Breaks [Details in INFO #12A (wages) & INFO #12B (breaks)]

- **Minimum wage**: Pay must be at least $12.56/hour in 2022; this minimum rises yearly for cost of living.
  - Piece rate or other pay must still total at least the minimum wage for the worker’s hours that week.

- **Time-and-a-half overtime**: For example, $21.00 per hour for workers regularly paid $14.00 per hour.
  - Overtime is after 60 hours as of November 1, 2022 — then the number of hours drops in 2024-25.
  - By 2025, overtime is after 48 hours (except 56 hours for highly seasonal employers’ peak seasons).

- **Rest breaks**: Workers must be fully relieved of duty for paid breaks of 10 minutes every 4 hours, plus:
  - the third paid rest break must be 30 minutes in days over 12 hours; and
  - an extra 1-hour break in weeks over 60 hours, or two extra 1-hour breaks in weeks over 70 hours.

- **Meal breaks**: In workdays of at least 5 hours, workers must be given 30-minute meal breaks.
  - If workers are fully relieved of duty, meal breaks can be unpaid. If not, they can eat on paid work time.
  - In weeks over 40 hours, workers can extend an unpaid meal break to 60 minutes.

(2) Worksite Access to Key Service Providers (health/legal/education/etc.) [Details in INFO #12B]

- Workers can see key service providers at the worksite when off-duty — or on-duty for health needs.
- Extra 60-minute paid breaks required in long weeks: one break in 60+hr weeks; two in 70+hr weeks
- Housed workers can have visitors when off-duty, and weekly transportation to see service providers.

(3) Health & Safety Protections: Heat; Housing; Weeding & Thinning [Details in INFO #12C]

- When the temperature is 80 degrees or higher, workers have the right to water and shade:
  - Water, 32 ounces an hour, 60 degrees or colder, that workers can drink on shifts and breaks (or if workers travel most of the day, as much water as possible, or equipment to carry or purify water)
  - Shade, near enough to worksites, and with enough space, for use during breaks (or, if shade can’t be provided, other sun protection like individual cooling items)

- In these increased risk conditions, workers must have 10 minutes’ paid rest after each 2 hours worked:
  - temperature 95 degrees or higher
  - work requiring heavy clothing/gear
  - unhealthy air quality
  - workers’ first 4 days of work
  - days over 12 hours

- **Short-handed hoes** aren’t allowed, and for other weeding or thinning:
  - employers must provide gloves and knee pads for any hand-weeding, -thinning, or hot-capping; and
  - stooped, kneeling, or squatting work is strongly disfavored unless there’s no other suitable method.

- **Housing**: during a public health emergency, employer-provided housing must meet minimum square footage requirements, and employers must provide safety materials and training.

(4) Enforcement: Notice of Rights; Retaliation; Complaints & Questions [Details in INFO #12D]

- Employers must notify employees of ALRRA rights, including with worksite postings and trainings, and can’t retaliate against anyone for trying to use or defend any ALRRA rights or protections.

- Workers can file complaints of violations (wages/breaks, retaliation, heat, housing, services, etc.), and employers can ask questions about compliance, at the Division contact information on top of this page.

(5) Union Rights & Responsibilities [Details in INFO #15]

- If workers ask, the Division runs elections for them to vote whether to form a union to represent them.
- The Division investigates unfair labor practice complaints — for example, if an employer punishes union-related activity, or if a union strikes without advance notice in situations where notice is required.

INFOs are not binding law, but are the Division’s officially approved opinions and notices to employers, employees, and others on how the Division applies and interprets statutes and rules. The Division continues to post and update INFOs on various topics; for up-to-date INFOs, rules, and other materials, visit the Division’s [Laws, Regulations, & Guidance page](http://www.ColoradoLaborLaw.gov). Last updated February 25, 2022