Water/Rest/Shade: What Employers Must Provide, Based on Heat or Other Conditions (INFO #12C*)

1) Days 80 degrees or hotter:
   - Water: 32 ounces (4 cups) an hour of clean and cool (60 degrees or colder) water, to drink during shifts & breaks
     - or if you travel most of the day: as much water as possible, or equipment to carry or purify water
   - Shade: clean, safe, and close and with enough space to use on breaks
     - or if shade can’t be given: personal cooling items or other protection

2) Days of 95+ degrees, or 80 plus increased risk conditions**:
   - At least 10 minutes of rest per 2 hours, &
   - Notice of heat safety rights
   ** An increased risk condition is any one of these:
     - unhealthy air quality
     - working over 12 hours that day
     - your first 4 days on the job
     - work requiring heavy clothing/gear

3) Workplaces reaching 80 degrees anytime in the year:
   - You may take cooldown rest if needed
   - Employers must: train on heat safety; help anyone sick; and have plans to communicate if anyone is sick
   - Workplaces reaching 95 degrees: On-site housing must have fans

In Public Health Emergencies (“PHE”s) (INFO #12C)
   - Employer-provided housing must meet minimum requirements
   - Employers must provide safety training and materials about the PHE

For Hand-Weeding/Hand-Thinning Work (INFO #12C)
   - Employers must give 15 minutes of rest per 4 hours worked: 10-minute breaks already required, plus 5 more for weeding/thinning work.
   - No short-handled hoes are allowed.
   - Employers must provide gloves and kneepads (for hand-capping too).
   - You don’t have to squat, kneel, or stoop, unless it’s the only way to do the work, or less than 20% of your work time.

Access to Service Providers at Worksites (INFO #12B)
   - You can see key service providers (health, legal, education, etc.) at the worksite when off-duty, or on-duty for health needs
   - In long weeks, employers must give extra break time:
     - Work Hours | Extra break time
       - Over 40  | Employee can extend a 30-minute break to 60 (unpaid)
       - Over 60  | Employer must give one extra 60-minute paid break
       - Over 70  | Employer must give two extra 60-minute paid breaks
   - If you live in on-site housing, you can have visitors when off-duty and your employer must provide weekly transport to see service providers

Complaint & Anti-Retaliation Rights (INFO #12D)
   - Complaints can be sent to the Division (which accepts anonymous tips), or to court for some complaints
   - Immigration status doesn’t matter to labor rights: the Division will not ask, and it’s illegal for anyone to try to use it to deny labor rights
   - Employers can’t interfere with your rights or retaliate if you use them

* An “INFO” is guidance on Colorado law, available at the links above to each INFO. INFOs on other other labor rights (wages, hours, breaks, whistleblowing, union activity, etc.) are at cdlabor.colorado.gov/infos

This Poster is a summary. For complete rules, fact sheets, translations, questions, & complaints, contact:

DIVISION OF LABOR STANDARDS & STATISTICS, Colorado Department of Labor & Employment
Call / email: 303-318-8441 or 888-390-7936 / cdlabor_standards@state.co.us (se habla español)
Website: ColoradoLaborLaw.gov or LeyesLaboralesDeColorado.gov

If you want to speak with a lawyer, you may contact anyone you wish, including the following non-government legal aid office:
Migrant Farm Worker Division of Colorado Legal Services, 800-864-4330 / info@coloradofarmworkers.org