

What is the Colorado Chance to Compete Act?

The Colorado Chance to Compete Act is intended to provide people with criminal records with a more meaningful chance to compete for a job in the workforce and grow Colorado's economy, while protecting employer's ability to make whatever hiring decision the employer deems appropriate.

Requirements:

On and after September 1, 2019, employers with 11 or more employees are subject to the Act. On and after September 1, 2021, all employers are subject to the Act.

The law prohibits employers from any of the following:

- Stating in an advertisement or on an application for a position of employment that a person
- with a criminal history may not apply for the position,
- Inquiring into an applicant's criminal history on an initial application for a position of
- employment, or
- Requiring the disclosure of an applicant's criminal history on an initial application for a
- position of employment.

UNLESS

- Federal, state, or local laws or regulations exist that prohibit employing a person with a
- specific criminal history to that position,
- The position is designated by the employer to participate in a federal, state, or local
- government program to encourage the employment of people with criminal histories, or
- The employer is required by federal, state, or local law or regulation to conduct a criminal
- history record check for that position.

Complaints:

A person who has witnessed, suffered from, or been injured by a perceived violation can file a complaint for an alleged violation of the Act, and the Division accepts anonymous complaints. To file a complaint, use the Division's form found on the website colorado.gov/cdle/labor.

Violations:

1st Violation: The Division issues a warning and order requiring the employer to comply with the Act within 30 days.

2nd Violation: The Division issues an order requiring the employer to comply with the Act within 30 days, and pay a fine to the Division of up to \$1,000.00.

3rd or Subsequent Violation: The Division issues an order requiring the employer to comply with the Act within 30 days, and pay a fine to the Division of up to \$2,500.00.