**INDUSTRY COVERAGE**

<table>
<thead>
<tr>
<th>Applies to private sector employers &amp; employees in Colorado in the following 4 industries:</th>
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<tbody>
<tr>
<td>1. Retail and Service</td>
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<tr>
<td>2. Commercial Support Service</td>
</tr>
<tr>
<td>3. Food and Beverage</td>
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<tr>
<td>4. Health and Medical</td>
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</tbody>
</table>

Does not apply to public sector employers. Does not apply to independent contractors. Does not apply to a variety of other industries such as construction, manufacturing, wholesale.

**TIME WORKED**

The time during which an employee is subject to the control of an employer, including all the time when the employee is suffered or permitted to work whether or not required to do so, is compensable work time.

**Travel time**

All travel time spent at the control and direction of the employer, excluding normal home to work travel, is compensable work time.

**Sleep time: 24+ hours tour of duty**

Up to 8 hours of sleeping time can be excluded from compensable work time under certain circumstances.

**Sleep time: Less than 24 hours tour of duty**

Periods during which the employee is permitted to sleep are compensable work time, as long as the employee is on-duty.

**OVERTIME**

In general, non-exempt employees covered by the Wage Order must be paid time and one-half their regular rate of pay for any work in excess of:

1. 40 hours per workweek.
2. 12 hours per workday.
3. 12 consecutive hours without regard to the start and end time of the workday.

**Exemptions from overtime**

1. Salespersons, parts-persons, and mechanics employed by automobile, truck, or farm implement dealers.
2. Certain commissioned salespersons in retail and service.
3. Certain ski industry employees.
4. Certain medical transportation employees.

**MEAL PERIODS**

1. Employees are entitled to an uninterrupted and duty-free 30-minute unpaid meal period when their work shift exceeds 5 consecutive hours.
2. The employee must be completely relieved of all duties for the meal period.
3. If the above conditions are not met, then the employee must be allowed to consume a meal on-duty, and be compensated for the entire on-duty meal period.

**REST PERIODS**

- Employees are entitled to a compensated 10-minute rest period for each 4 hours of work or major fractions thereof. Wages may not be deducted for the rest period.
- It is not required that the employee be permitted to leave the premises for the rest period.

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**PLAIN TEXT**

The Colorado Minimum Wage Order Number 25 (7 CCR § 1103-1), effective January 1, 2009 regulates wages, hours, working conditions, and procedures for certain employers and employees in Colorado. The Wage Order is promulgated by the Colorado Division of Labor. The Wage Order, in some instances, provides different requirements than FLSA. Contact the U.S. DOL for information on FLSA and federal wage and hour laws (www.dol.gov or 1-866-4USWAGE).

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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.

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