



KNOWLEDGE #1: Wage & Hour Rights for Employees in Colorado

Each **KNOWLEDGE** (*Knowledge for Workers on Labor Law is Empowering & Drives Good Employment*) is not binding law, but is a summary of key labor rights, with more detail in each **INFO** (*Interpretive Notice & Formal Opinion*).

<p>What PAY Do I Have a Right to?*</p> <p><i>* details in INFOS: INFO #1: key wage rules & who's covered by these rights INFO #3: what count as "wages" & how they must be paid INFO #5: deductions INFO #20: "time worked" that must be paid</i></p>	<p>Minimum Wage & Direct Care Rates</p>	<p>\$13.65 per hour (\$11.61 for most minors) in 2023 (adjusted yearly) <i>except</i>:</p> <ul style="list-style-type: none"> • \$17.29 in Denver (our webpage will post any other local minimum wages) • \$3.02 less can be paid to those with enough tips to reach the full minimum
	<p>Overtime Pay (“Time and a half”)</p>	<p>One & a half times your regular rate after 40 hours a week, or 12 a day, <i>except</i>: Certain exempt jobs require no (or less) overtime — examples:</p> <ul style="list-style-type: none"> • Salaried workers with higher-level duties (supervisor, professional, etc.) • Some (not all) jobs in agriculture, health, trucking, sales, camps, ski, etc.
	<p>Pay for all Time Worked</p>	<p>All time spent for the employer’s benefit must be paid, including:</p> <ul style="list-style-type: none"> ✓ required time at any location, even just to wait (except some sleep time) ✓ check-in/out (timeclock, screening, gear pickup, time in line) if over 1 minute ✓ clothing/gear, setup/cleanup, or meeting/paperwork time outside shifts ✓ travel between clients/offices, or special trips – but not regular commutes
	<p>Deductions from Pay, or Charges to Employees</p>	<ul style="list-style-type: none"> • Lodging: only if optional & not for employer benefit (& only \$25-100 weekly) • Meals: only if optional (& only at actual cost, with no profit) • Uniform: only if ordinary clothes (with no special material or design) • Not for: poor work quality, quitting without notice, or property cost
<p>What Breaks & Time Off Do I Have a Right to?*</p> <p><i>* details in INFOS: INFO #4: breaks INFO #6: paid leave</i></p>	<p>Rest Breaks (paid)</p>	<p>10 minutes every 4 hours (or multiple 5-minute breaks, in some situations)</p> <ul style="list-style-type: none"> • duty-free, but the employer can require you to stay at the workplace
	<p>Meal Breaks (unpaid <i>if</i> duty-free)</p>	<p>30 minutes, in workdays of over 5 hours</p> <ul style="list-style-type: none"> • duty-free & free to go off-site – if not, it’s paid time, & you’re allowed to eat
	<p>Paid Leave</p>	<p>1 hour per 30 worked, up to 48 hours a year, for worker or family needs</p> <ul style="list-style-type: none"> ✓ 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 (<i>as of 8/7/23</i>)
<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:</p> <ul style="list-style-type: none"> ✓ unused vacation pay, including paid time off that can used for vacation ✗ but not sick, bereavement, or other pay limited to specific needs
<p>Can an Agreement Take Away My Rights?</p>	<p>No:</p>	<p>No waiver, policy, or agreement (collective bargaining or individual) can allow:</p> <ul style="list-style-type: none"> ✗ paying below minimum wage, or not paying time-and-a-half overtime ✗ not paying for any time that counts as “time worked” ✗ never allowing breaks or sick leave, or making all leave unpaid ✗ treating workers as “independent contractors” (or other kind of non-employee) without any of these rights, if the facts show they actually work as “employees”
	<p>But:</p>	<p>What employers and employees can agree to is:</p> <ul style="list-style-type: none"> ✓ 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>How Can I Protect My Rights?</p> <p><i>* details in INFOS: INFO #2: complaints & investigations INFO #5: retaliation</i></p>	<p>What’s Protected from Retaliation or Interference</p>	<p>You have a right to complain of violations, or assert your rights:</p> <ul style="list-style-type: none"> ✓ 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>File a Claim, or a Confidential Tip</p>	<p>Report wage and hour (including breaks or leave) or retaliation violations as:</p> <ul style="list-style-type: none"> ✓ a complaint to the Division, or in court, <i>or</i> ✓ a confidential tip to the Division, by email or phone <p>Call or email the Division with any questions, in English or Spanish.</p>