



Pools Special Initiative 2022: Frequently Asked Questions on Lifeguard Training & Overtime

- ***How do I get training paid for to become a lifeguard?***

The Reskilling, Upskilling, And Next-skilling Workers (RUN) grant may cover the cost for individuals to complete training to become certified as a lifeguard or receive related skills (e.g. CPR). You may also be eligible to receive a \$1,000 stipend upon completion of the training program once you begin employment as a lifeguard. Visit or call your local Workforce Center for support on how to get started. You can find your closest Workforce Center at cdle.colorado.gov/wfc.

- ***How do I qualify for the \$1000 incentive payment?***

Upon completion of the Lifeguard and CPR/First Aid Certifications and proof of beginning employment, an individual may receive a \$1000.00 incentive payment. Individuals will need to work with a local Workforce Center to complete their training and provide proof of certifications and employment. An incentive payment check will be administered once completed certifications and employment can be verified. You can find your closest Workforce Center at cdle.colorado.gov/wfc.

- ***Why is the state granting an emergency waiver to let minors work overtime as lifeguards — and why couldn't they already work overtime without this waiver?***

Colorado's Youth Employment Opportunity Act lets minors work, but with limits, including no more than 40 hours a week, or 8 a day. Waivers can be requested for individual workers, or if the state finds an emergency public need, it can grant an entire industry or occupation a temporary waiver. Many local governments have delayed opening or limited hours at public swimming pools due to staffing shortages, so Governor Polis took action to help ensure swimming pools are open and properly staffed this summer.

- ***Why do only public pools have this emergency waiver letting minors work overtime as lifeguards?***

The law lets these sorts of emergency waivers to cover an entire industry or occupation for only the public sector (government employers — including “special districts” that run parks or recreation facilities) and a few other narrow areas. However, private pools can request waivers for individual employees, on a case by case basis, at the “Youth Law” link at www.ColoradoLaborLaw.gov.

- ***Why are there different rules by age for lifeguards to work overtime?***

Adults are already allowed to work overtime, and minors under 16 can't work overtime under a federal law that Colorado can't waive. This emergency waiver applies only to minors aged 16-17 years old.

- ***How does overtime pay work for these minors who are now allowed to work overtime?***

They must be paid “time-and-a-half”: If their regular hourly rate is \$16, their rate must be at least \$24 after 40 hours a week (even if their regular rate is already 50% above minimum wage). Supervisors may be overtime-exempt if they (1) have mostly supervisory duties (example: a head lifeguard who mostly just lifeguards, with most supervision done by a higher supervisor or manager, typically isn't exempt), (2) supervise two or more others, and (3) receive at least \$865.38 in weekly salary. Salary-paid employees who aren't exempt as supervisors still need to be paid overtime: calculate their hourly rate by dividing each week's total pay by work hours, then add 50% for overtime hours. Here is the [text of the emergency waiver](#).



- ***How much overtime are these minors allowed to work?***

With this emergency waiver, 16- and 17-year old lifeguards can work limited overtime, no more than 54 hours a week and 10 hours a day, in order to increase available staffing capacity for public pools.

- ***How long will the waiver be in effect?***

This emergency waiver is effective June 21, 2022, and applicable through Labor Day (September 5, 2022).

- ***What other wage-and-hour rules should I know?***

Key rules to know include the minimum wage (\$12.56 in Colorado and \$15.87 in Denver — and though many minors ordinarily can be paid 15% below the state minimum, they need full minimum wage if they're now working over 40 hours a week, or 8 hours a day), rest breaks (10 minutes paid break time per 4 hours worked), and meal breaks (in shifts of at least 5 hours, 30 minutes that can be unpaid if a worker is completely relieved of duty). For more on these and other rules, visit the "INFOs & Other Published Guidance" page at www.ColoradoLaborLaw.gov.