DEPARTMENT OF LABOR AND EMPLOYMENT

Division of Labor Standards and Statistics

2024 Publication And Yearly Calculation of Adjusted Labor Compensation (2024 PAY CALC) Order

7 CCR 1103-14

As proposed on September 29, 2023; if adopted, to be effective January 1, 2024.

Rule 1. Statement of Purpose, Requirements, and Calculations.

1.1   This Publication And Yearly Calculation of Adjusted Labor Compensation Order ("PAY CALC Order"), 7 CCR 1103-14, publishes values that adjust periodically under the Colorado Overtime and Minimum Pay Standards Order ("COMPS Order"), 7 CCR 1103-1, or other laws.

1.2   Coverage and Application. Following are the 2024 minimum pay and income levels and future adjustments in each cited COMPS Order rule, and/or mandated by constitutional, statutory, or rule provisions the COMPS Order implements, or from which it derives.

	Minimum Pay Level in COMPS Order Rule	2024 Level (Yearly Calculation)	Future Annual Adjustments
(A)	Full Colorado minimum wage (R. 3.1)	**$14.42** per hour	Last year's minimum adjusted by CPI (Consumer Price Index) for Colorado
(B)	Amount of minimum wage that employers must pay to tipped employees (R. 1.10, 6.2.3)	**$11.40** per hour to the extent that adding tips raises total pay to full minimum wage	**$3.02** per hour below full minimum wage to the extent that adding tips raises total pay to full minimum wage
(C)	Minimum wage for non-emancipated minors (R. 3.3)	**$12.26** per hour	15% below full minimum wage
(D)	Minimum pay for agricultural range workers (R. 2.4.9)	**$590.61** per week	Prior year's level adjusted by inflation
(E)	Executive/supervisor, administrative, or professional employees ("EAP") (R. 2.5.1); certain owners or proprietors of non-profit employers (R. 2.2.5); decision-making managers at livestock employers (R. 2.4.8)	**$1,057.69** per week ($55,000 rounded annual equivalent); and sufficient for the minimum wage for all hours worked in a workweek	Prior year's level adjusted by CPI each year as of 2025
(F)	Highly technical computer employees (R. 2.5.2, 2.2.10)	**$33.17** per hour or the EAP salary above (row E)	Prior year's hourly wage adjusted by inflation, or the EAP salary above
(G)	Highly compensated employees (R. 2.2.11)	**$123,750** annually, *and* the EAP salary (row E) weekly	The annual EAP salary (row E) multiplied by 2.25
(H)	Certain drivers and driver's helpers (R. 2.4.6)	**$793.10** per week	Based on Colorado minimum wage each year
(I)	Certain seasonal camp or outdoor education field staff (R. 2.2.7(E))	Full minimum wage or, per week: **$405.64** (adults) or **$314.92** (minors); except at non-profits with up to $25 million in revenue, **$304.70** (adults) or **$229.10** (minors)	Based on Colorado minimum wage each year

1.3   Additional Requirements. Many of the referenced COMPS Order rules have other requirements aside from a minimum pay level, including but not limited to: an employee having duties that qualify for exemption; an employee receiving sufficient tips to allow for a tip credit to be taken; and an employer paying any higher applicable federal, local, or minimum wage.

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Rule 2. Authority, Construction, and Definitions

2.1   Authority and Incorporation by reference. This PAY CALC Order is issued under the authority and as enforcement of Section 15 of Article XVIII of the Colorado Constitution and Articles 1, 4, 6, and 12 of C.R.S. Title 8 (2023), and is intended to be consistent with the State Administrative Procedures Act, C.R.S. § 24-4-101, et seq. Hereby incorporated by reference into this rule are 29 C.F.R. Part 541 Subpart G; Colo. Const. art. XVIII, § 15 (2023); Title 8, Articles 1, 4, 6, 12, and 13.3 of the Colorado Revised Statutes (2023); the COMPS Order, 7 CCR 1103-1 (2023); the Wage Protection Rules, 7 CCR 1103-7 (2023); and the Direct Investigation Rules, 7 CCR 1103-8 (2023). Earlier versions of such laws and rules may apply to events that occurred in prior years. Incorporation excludes later amendments to or editions of the constitution, statutes, and rules; all cited laws are incorporated in the forms that are in effect as of the effective date of this PAY CALC Order. Where these Rules reference another rule, the reference shall be deemed to include all subparts of the referenced rule. Where these Rules have provisions different from or contrary to any incorporated or referenced material, the provisions of these Rules govern, so long as they are consistent with Colorado statutory and constitutional provisions. All sources cited or incorporated by reference are available for public inspection at the Colorado Department of Labor and Employment, Division of Labor Standards & Statistics, 633 17th Street, Denver CO 80202. Copies may be obtained from the Division at a reasonable charge or can be accessed from the website of the Colorado Secretary of State. Pursuant to C.R.S. § 24-4-103(12.5)(b), the agency shall provide certified copies of them at cost upon request or provide the requestor information on how to obtain a certified copy of the material incorporated by reference from the agency originally issuing them. All Division rules are publicly available at www.coloradolaborlaw.gov.

2.2   Administration and Dual Jurisdiction. The Division shall have jurisdiction over all questions arising with respect to the administration and interpretation of this PAY CALC Order. Whenever employers are subjected to Colorado law as well as federal and/or local law, the law providing greater protection or setting the higher standard shall apply. For information on federal law, contact the U.S. Department of Labor, Wage and Hour Division.

2.3   Separability. These Rules are intended to remain in effect to the maximum extent possible. If any part (including any section, sentence, clause, phrase, word, or number) is held invalid, (A) the remainder of the Rules remain valid, and (B) if the provision is held not wholly invalid, but merely in need of narrowing, the provision should be retained in narrowed form.

2.4   "Division" means the Division of Labor Standards and Statistics in the Colorado Department of Labor and Employment.