

Demand for Payment of Wages: Instructions and Information

This Demand for Payment of Wages is a form filled out by the employee. The employee then sends the Demand to the current or former employer that they claim owes them wages. But a written demand for payment of wages can be *any* demand, whether or not they use this form, that is written and sent to an employer's correct address. The employee may send this form, or a demand they write themselves, by mail, email, text message, or other electronic means.¹ Demands must be for wages already due, not wages due at a future date.

Sending a written demand is not required, but often convinces employers to pay what they owe. And if the employer still does not pay what they owe, and the employee files a complaint with this Division or in court, having sent a written demand may increase their chances of being awarded additional money from the employer as a penalty for not paying wages they owe.²

An employee can send a demand before, after, or at the same time as they file a complaint with this Division. There's no required order in which the employee must send the demand and file the complaint.

1. To use this written demand:

- Fill out the form completely, including the date and your signature (which can be your typed name, if you fill out the form on a computer).
- Save a copy of the completed form. Keep any other records showing when, and to whom, you sent it.
- **Send the original to the employer's correct address.** You may wish to use certified mail, so you have a record of mailing and proof the employer received it.
- **Do not send this form to the Division.** This form doesn't initiate a complaint with the Division.

2. If you would like to recover your wages through the Division's complaint process:

- You must fill out a separate [Labor Standards Complaint Form](#) to file a complaint for your unpaid wages.
- You can send a demand, and file a complaint simultaneously. You do not need to wait 14 days after sending a written demand to file a complaint with this Division.
- If you do not send this written demand to your employer, the Division's Notice of Complaint counts as a written demand for legal purposes. [C.R.S. § 8-4-111\(5\)](#).

3. If the employer does not pay your wages within 14 days after a written demand for payment (or if they only pay you a partial or wrong amount), and the Division finds that the wages should have been paid, the Division may order the employer to pay you penalties in addition to your wages:

- 200% of the wages due, OR \$1,000.00, whichever is greater. [C.R.S. § 8-4-109\(3\)\(b\)](#).
- 300% of the wages due OR \$3,000.00, whichever is greater, if the employer's failure to pay wages was willful.

The Division may also order the employer to pay a fine (payable to the State of Colorado) of up to \$50 per day for every day the employer fails to pay your wages.

To learn more about filing a complaint with our Division, and the Division's complaint process, please visit our website at <https://cdle.colorado.gov/complaint>.

Please note: The Division cannot provide legal advice on complaints. If you need legal advice, please consult an attorney.

¹ [C.R.S. § 8-4-101\(15\)](#); [Wage Protection Rules](#), 7 CCR 1103-7, Rule 2.16.

² [C.R.S. § 8-4-109\(3\)\(a\)](#): "If an employer refuses to pay wages or compensation . . . the employee, his or her designated agent, or the division may send a written demand for the payment." [C.R.S. § 8-4-109\(3\)\(b\)](#): If an employer fails to pay the wages or compensation due to the employee within fourteen days after the written demand is sent, "the employer shall be liable to the employee for the wages or compensation, and a penalty"

DEMAND FOR PAYMENT OF WAGES

TO:

FROM:

(EMPLOYER/BUSINESS/COMPANY NAME)

(EMPLOYEE NAME)

(OWNER/OFFICER/MANAGER LIABLE FOR WAGES)

(JOB TITLE)

(MAILING ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP)

(CITY, STATE, ZIP)

(EMAIL ADDRESS)

(EMAIL ADDRESS)

Under Colorado Revised Statutes Title 8, Article 4, I formally demand the following wages I am owed:

Total dollar amount that I believe I am owed: _____
(the amount may be approximate, or subject to change if evidence shows a different amount)

Description of the wages or compensation owed (another sheet may be attached if needed):

Under Colorado law, if, within 14 days of the sending of this demand, you fail to pay wages found to be owed, you will have violated Colorado labor law,* and may be **ordered to pay more than just the wages owed**:

- in addition to the full wages owed, a **penalty of 200% of the wages owed or \$1,000.00**, whichever is greater ([C.R.S. § 8-4-109](#));
- if the violation is found to be “willful,” **the above penalty increases to 300% of the wages owed or \$3,000.00**, whichever is greater; and
- fines of up to \$50 per day, to the State of Colorado, from the date the wages became due ([C.R.S. § 8-4-113](#)).

For more on how penalties and fines increase liability for unpaid wages, see the Division’s [Employer FAQs](#) resource.**

Please also note:

- If the Division finds an employer violated Colorado labor law, the Division publishes the violation on its website, on its [spreadsheet of violations](#) and/or its [decisions webpage](#), and may report the employer to applicable licensing authorities.
- An individual owner, officer, manager, or supervisor — not just the employer as a business or entity — may be found to be personally liable for, and responsible to pay, all amounts owed for unpaid wages.

Please make payment to me by this method (select only 1 of 3 options and fill in the corresponding fields):

Mail to my address listed above

Direct deposit or transfer to: ___ My bank account you have on record for paying my wages; or

___ This account # (_____) and routing # (_____)

Other payment method: _____

Employee Signature

Date

*All wages or compensation are due, and must be paid, on regular paydays by 10 days after each pay period ends, unless we agreed on a different period. [C.R.S. § 8-4-103\(1\)\(a\)](#). Employees who quit or resign must be paid the next regular payday; terminated employees must be paid immediately, with limited exceptions: if an accounting unit for payroll is offsite, 24 hours after its next regular workday starts; if that unit is not scheduled to operate that day, six hours after its next regular workday starts. [C.R.S. § 8-4-109\(1\)\(a\),\(b\)](#).

**<https://cdle.colorado.gov/dlss/wage-hour-claim-investigations-employer-faqs>.