



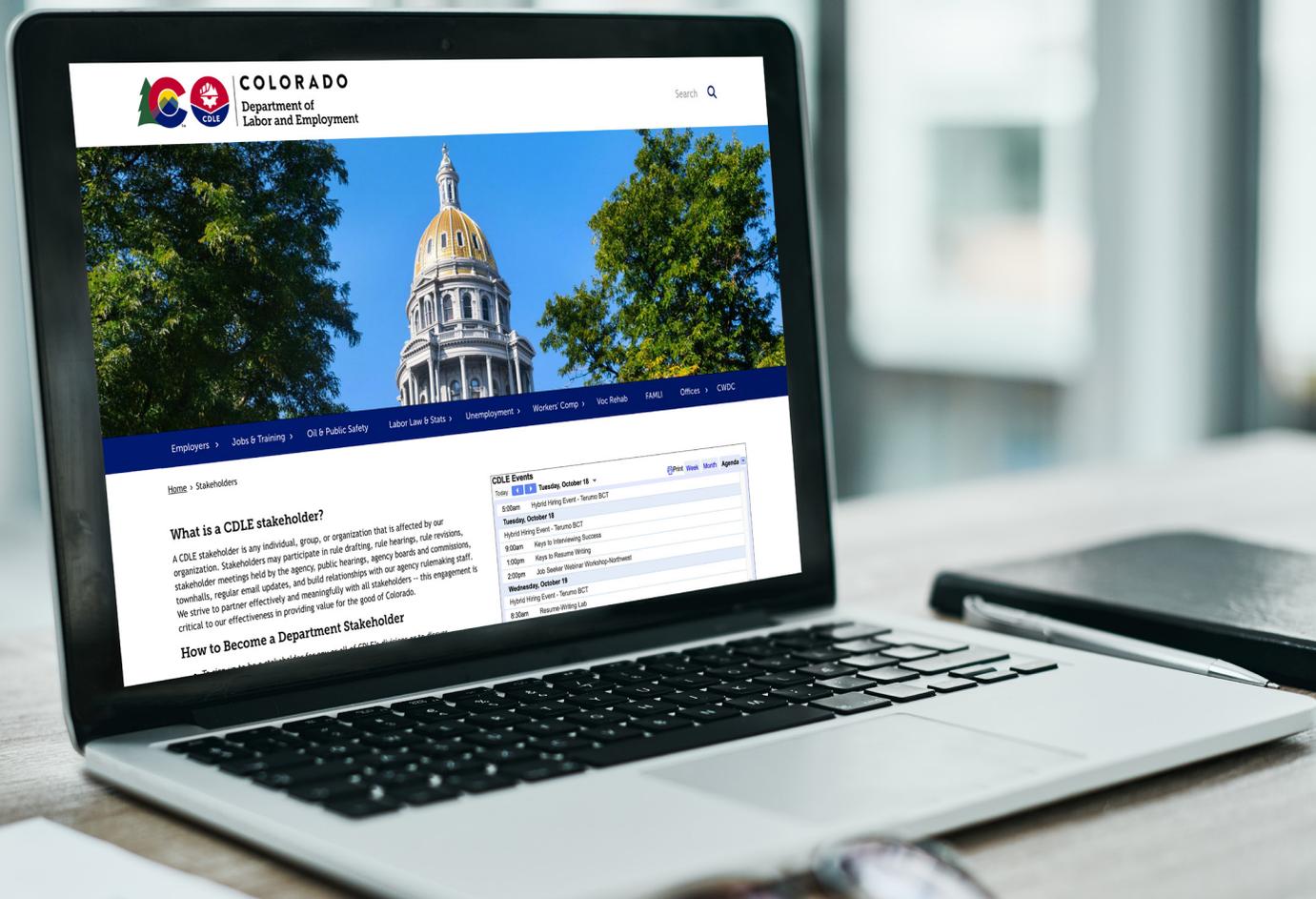
COLORADO
Department of
Labor and Employment

QUARTERLY

STAKEHOLDER REPORT

October 2022





Welcome to the new Colorado Department of Labor and Employment's Quarterly Report to Stakeholders!

As part of a new initiative, the *Colorado Department of Labor and Employment (CDLE)* is creating a quarterly stakeholder report to inform our stakeholders of our recent accomplishments, upcoming goals, and legislative updates. This new report, as well as our new [stakeholder website](#), is intended to better connect those that are impacted by our various Divisions and programs, and give better insight and transparency into our day to day operations.

VISION

A working economy that elevates all of Colorado.

MISSION

Working together to promote a thriving employment environment with opportunity for every Coloradan to prosper.

CDLE PRIORITIES

Model Employer

Lead the state in becoming a model employer

Workers Prosper

Through meaningful employment, every Coloradan prospers

Exceptional Services

Exceptional execution of core services in collaboration with partners and stakeholders

Future of Work

Ensure Colorado is prepared for the Future of Work

Employers Thrive

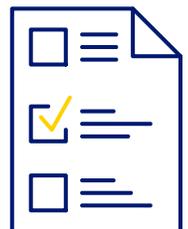
Cultivate policies and processes that help Colorado employers thrive

CONTENTS

A Look Back	3
A Look Ahead	11
Upcoming Rules & Regulations	17

We would love to hear from you.

Complete our brief survey to let us know how we can better reach you. Your feedback helps us improve our service to you.



[CDLE Stakeholder Survey](#)

A LOOK **B**A

ACK

Colorado Workforce Development Council (CWDC)

- In September, the CWDC held a two-day meeting in Fort Collins to align on priorities, the budget, and to connect with members.
- Over the last quarter, CWDC has been continuing implementation of [HB21-1264](#), including support of re-skilling, up-skilling, and next-skilling ([RUN](#)) training opportunities for Covid-impacted Coloradans and funding [workforce innovation](#) projects at the state and local levels. Funds were provided for 11 regional sector partnership conveners to be hired across Colorado to support existing partnerships and help with the development of new partnerships in key industries.
- The CWDC is also supporting the adoption of innovative [talent finance](#) solutions in Colorado; contact jessica.maiorca@state.co.us to learn more or get involved in the CWDC's learning sessions and community of practice.
- The CWDC is also promoting the Good Jobs Pilot, which helps employers strengthen their recruitment and retention strategies by assessing and improving the quality of their jobs. [Learn more](#) and [complete the interest form](#) to join the program.



Division of Labor Standards and Statistics (DLSS)

- The Division has continued to enhance its stakeholder outreach, including the many rulemakings the legislature has mandated on paid sick leave, agricultural labor rights, pay posting transparency, and more. There has been increasingly broad participation in pre-rulemaking stakeholder meetings, expanding DLSS's stakeholder list to hundreds of employers, individuals, and their organizations/representatives. Various meetings and hearings have had participation by 100 or more, plus hundreds of written comments. Upcoming outreach efforts will focus on new wage enforcement provisions of the law and collective bargaining for county employees.
- The Office of Labor Market Information (LMI) has launched two [new Tableau dashboards](#): Characteristics of Colorado's Labor Force and Colorado Labor Force Demographics. LMI also published its annual Occupational Employment and Wage Statistics (OEWS) [Wage Report](#), a comprehensive overview of Colorado's occupational employment and wage dynamics statewide featuring a multitude of supplemental data tables and charts. Data are gathered from semiannual employer surveys of employee occupations and wages.
- Over the last two years, DLSS has grown their catalog of available INFOs (Interpretive Notice & Formal Opinions) to provide insight on how the Division interprets and applies various statutes and rules. To review the INFOs catalog, please visit cdle.colorado.gov/infos.



Division of Vocational Rehabilitation (DVR)

- DVR is partnering with CDLE's Workforce Development Programs to implement the Disability Navigator Program (DPN) throughout the majority of the workforce centers. The DPNs work to create more opportunities for people with disabilities to find employment and receive coordinated services.
- The Business Services team continues to partner with the Apprenticeship Office to expand work-based learning opportunities and they are focused on providing skills-based hiring training to employers across Colorado.
- DVR is intentionally outreaching to serve more youth with disabilities and we are excited to announce that we served a record amount of youth in the past quarter. We are expanding our staff to support youth with disabilities in obtaining quality employment in a variety of career pathways. One way we are increasing our outreach is through our new [youth orientation video](#) with the help of youth who are receiving our services.

Division of Family and Medical Leave Insurance (FAMLI)

- The Division is proactively communicating program information and updates to the business community across Colorado, so that employers, third party administrators, and local governments fully understand what is required of them and can proactively prepare ahead of the January 2023 premium start date. This statewide public education effort includes a variety of communication tactics including live and record webinars, in-person regional town halls, partnerships with local chamber groups, newsletters and social media.
- An integrated multimedia advertising campaign will launch late in 2022 with a targeted digital media approach and expand to statewide broadcast starting in January 2023 and run through May 2022.
- From January through September of 2022, the Division has hosted 51 public webinars, town halls and private presentations to a variety of employer groups and conferences. FAMLI's monthly webinars have been viewed more than 11,400 times, and its newsletters have more than 163,600 opens.

Office of New Americans (ONA)

- The Office successfully filled each role on the 24-person board that will provide policy and programmatic recommendations to the Governor and the General Assembly to increase the ability of the state to harness the skills of new Americans, including through work-based learning opportunities. You can read more about it in [Senate Bill 22-140](#).

Office of Future of Work (OFOW)

- The OFOW, along with the [Broadband Office](#), continue to lead Colorado's [Digital Equity, Literacy, and Inclusion Initiative](#). This includes coordinating the state's digital equity plan to ensure that all Coloradans have the skills, technology, and capacity needed to reap the full benefits of our digital economy.

Office of Just Transition (OJT)

- To date, OJT has approved over \$4M in community grants; developed a broad outline for worker assistance; participated in Xcel Energy's and Tri-State's PUC proceedings to address community and worker assistance; assisted community planning; and laid the groundwork for investor engagement.
- This year, HB22-1394 added \$15M to the existing \$15M for community and worker assistance, as well as OJT operations. Community assistance funds must be spent by FY26 while worker assistance funds must be spent by FY27. Xcel's PUC proceeding resulted in commitments equivalent to six or 10 years of property tax payments to its communities, while Tri-State's PUC proceeding resulted in a facilitated process to identify opportunities for assisting its communities.

Division of Employment and Training (E&T)

- The Division implements training and meaningful employment for nearly 400,000 job seekers and connects nearly 20,000 employers to a diverse and skilled workforce that drive Colorado's economy forward. [We steward](#) over \$100 million dollars yearly administered across the ten local areas in the statewide workforce system. Check out the division's [new annual report](#).



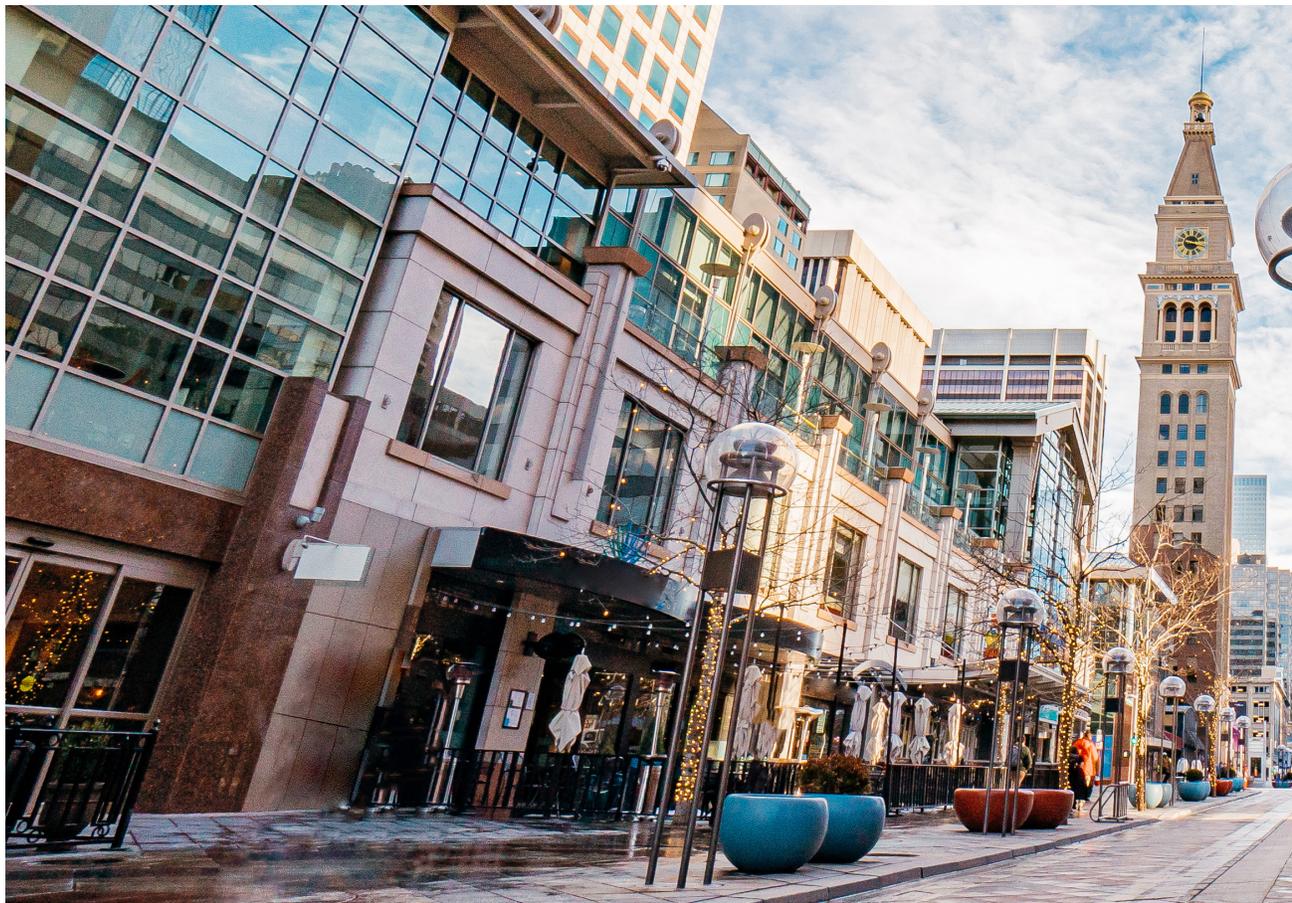


Division of Unemployment Insurance (UI)

- The Customer Service Center has opened an expanded lobby space to serve more customers in person at 251 E. 12th Avenue. The expanded space allows UI to take daily walk-ins in addition to regularly scheduled lobby appointments.
- The Integrity unit has kicked-off a new project to update technology for identity proofing and fraud prevention. The project will take approximately six months, with the first focus on replacing ID.me as CDLE UI's identity verification service.
- Benefit services is now adjudicating all issues on a claim. This has shown positive results and will be monitored closely moving forward. This allows older claims to push forward and will help improve timeliness of benefits for claimants.
- As required by statute, the Department collaborated to produce the annual [Unemployment Insurance Trust Fund Report](#) submitted to the General Assembly.

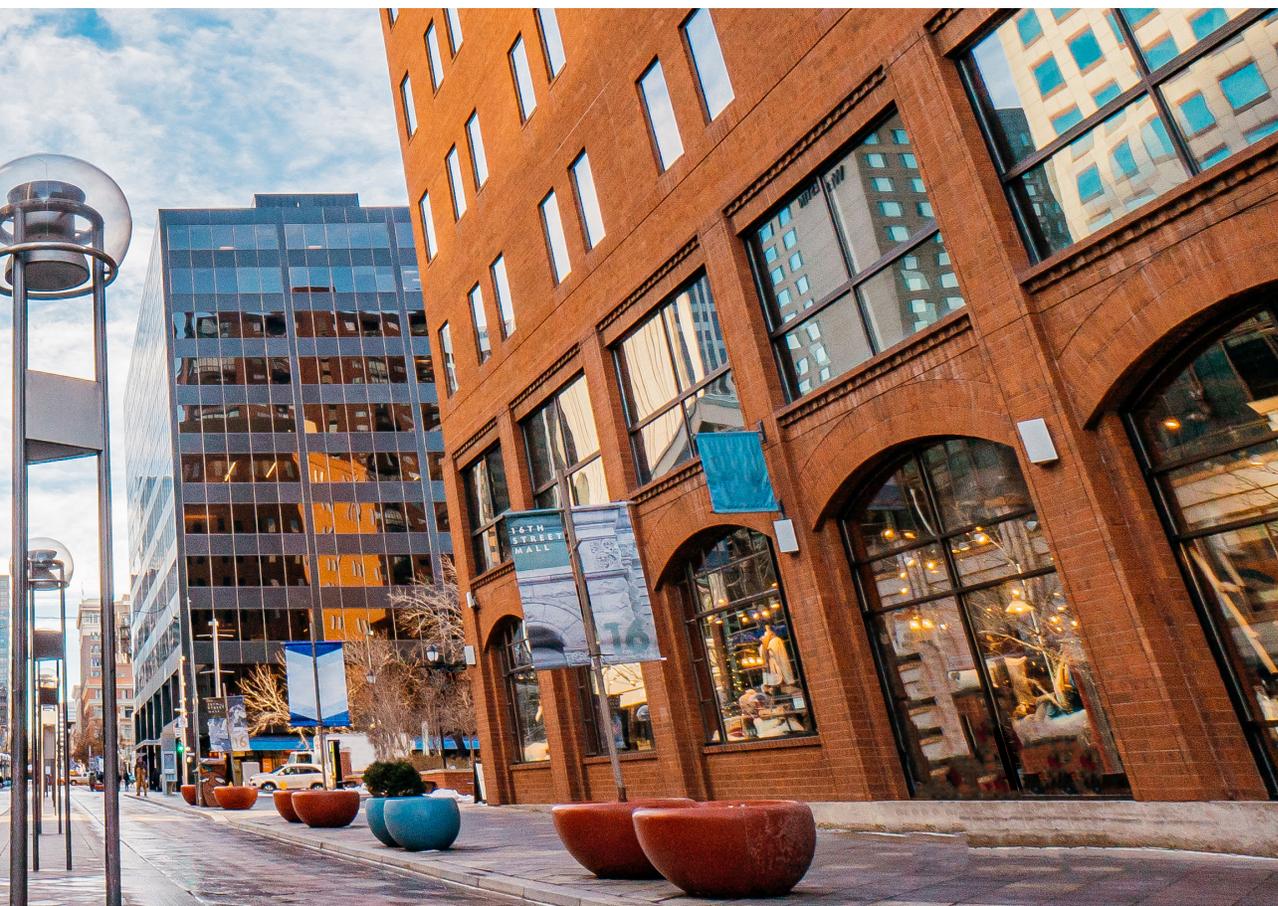
Division of Oil & Public Safety (OPS)

- OPS successfully completed two outreach sessions in August. In Arvada, they had over 200 attendees and in Grand Junction, there were 80 attendees and they partnered with over 25 different stakeholder organizations from the state. Feedback was extremely positive and they will be looking for ways to revise their current format to continue to reach more owners and operators that they serve in the future.
- There are approximately 55,000 fuel dispenser meters in use at 2,400 retail fuel facilities in Colorado. OPS inspections of these meters since July 2021 (representing over 21,000 meters) have found that 99.64% of them are within the required tolerances. 0.25% of the meters are actually providing more fuel to the customer, and 0.11% are providing less than they should. This high compliance rate is made possible through detailed guidance and expectations from OPS, their inspections and enforcement, and their certification and education of the calibration industry. These facts were highlighted in a FOX31 story that aired in June.



Division of Workers' Compensation (DOWC)

- The Division has made significant strides to offering better access to information about benefits for non-English speaking workers and employers.
- This year saw numerous changes to workers' compensation laws. HB22-1112 increased the time injured workers have to report an injury and added content to the required Notice to Employer of Injury poster. HB22-1347 requires prepayment of some mileage expenses, adjusts payment requirements for scheduled impairment rating, raises the amount of funeral benefits, and more. H22-1354 limited the distribution of mental health records. SB22-035 gave the Commissioner of Insurance authority to set required coverage levels for occupational accident coverage for truck drivers. For a full review of the recent changes, check out our [Legislative Update](#). If you would like to provide feedback about improvements that can be made to the DOWC's filing projects, please [sign up for our email list](#).



A LOOK AT

HEAD

DLSS

- In 2022 and beyond, DLSS will collaborate with the Colorado Department of Health Care Policy & Financing (HCPF), to design, develop, and implement outreach materials, as well as a training program, to educate direct care workers, HCBS (Home and Community Based Services) employers and other private and public/governmental entities throughout the State of Colorado regarding worker rights and employer responsibilities.
- The requirement of 80-hour COVID-related leave (“public health emergency leave”) remains as long as there is either a federal or state emergency declaration: as of now, both are ongoing, and the federal government already declared that its emergency will continue through at least late 2022.
- Colorado law provides supplemental paid sick leave when a federal public health emergency is declared for a “highly fatal infectious agent. **Currently, the evidence does not appear to show the current strain of monkeypox to be “highly fatal.”** Accordingly, the Monkeypox public health emergency declared by the federal Department of Health and Human Services on August 4, 2022 is not the type that triggers supplemental paid sick leave under Colorado law. However, accrued paid sick leave for personal or family health needs related to Monkeypox can be taken if the leave is for one or more of the needs listed in the [Accrued Paid Sick Leave](#) section.



DVR

- October is National Disability Employment Awareness Month (NDEAM). This year’s theme is Disability: Part of the Equity Equation. CDLE and DVR challenge all employers to “commit to hiring and retaining people with disabilities through implementing practices related to equity, diversity, inclusion and accessibility (EDIA).” [Learn more](#) about events, the challenge and NDEAM on DVR’s website.

CWDC

- The 2022 Talent Pipeline Report will be released on Dec. 13, 2022. Join us for this virtual launch event to learn about highlights from this year’s report. [Register for the event.](#)

E&T

- The Division will work to develop Appreciative Inquiry results into a strategic plan, expand Disability Program Navigators statewide, and enhance Program Evaluation initiatives. This will further program efficacy and training outcomes that support meaningful employment opportunities for Colorado job seekers, and connect employers to a diverse and skilled workforce.

DOWC

- DOWC is undertaking several efforts to modernize our work processes, particularly those that improve electronic filings and interactions with our system. This is crucial to ensuring that our teams and our stakeholders have the ability to remain competitive in a changing professional environment.

UI

- UI has made significant strides towards paying off Title XII loans from the pandemic and we expect to fully pay off the balance prior to the November 10th deadline for FUTA credit reduction.
- In late 2023, the UI Employer Services team will update the employer tax system to improve the employer’s experience, drive efficiency and improve access to account information.



FAMLI

- FAMLI’s product development team program is creating an online employer services portal that will ultimately provide a user-friendly experience that supports Colorado business owners and benefits administrators to implement and manage FAMLI premiums easily and successfully. User acceptance testing is currently underway, and a soft launch of the system is planned for Q4 2022. The portal will be live and accessible from famli.colorado.gov for all employers by January 2023.





OFOW

- By July 1, 2023, the OFOW will transition to the [State Apprenticeship Agency](#) (SAA) and secure recognition from USDOL to register apprenticeship programs at the state level through the implementation of [HB21-1007](#). Expansion of registered apprenticeship programs is essential to address the needs of high-growth industries. *The office's goal is to register 100 new programs in 2022/2023 and increase the number of new apprenticeships filled by racial or ethnic minorities by 5% by June 30, 2023.*
- OFOW also convenes the Digital Equity Committee to discuss, research, analyze, and recommend interventions to close the digital divide. OFOW will also deploy digital navigators to address digital inequities that prevent people from accessing work-based learning, job-training, and employment opportunities, as addressed in [Senate Bill 22-140](#).
- During the entire month of November, Colorado celebrates the individuals, organizations, and partners that are moving forward the economy through registered apprenticeship. [Get involved in Apprenticeship Month](#) by submitting your local area proclamation and your apprenticeship event. Don't forget to [register to virtually attend](#) the 2022 Colorado Apprenticeship Awards hosted by CDLE and the OFOW on November 16th and honor the Coloradans that are championing registered apprenticeship!

OJT

- OJT is launching investor workshops this fall, starting on the West End of Montrose County. These are invitation-only to ensure meaningful engagement for impacted communities.
- OJT is also increasing the funds available for community grants and making other adjustments to reflect recent legislation. Anyone interested in OJT's newsletter and other communications should contact office staff at terri.livermore@state.co.us.
- The Office is seeking applications from Coloradans interested in serving on the Just Transition Advisory Committee. Find out more and [submit your application](#).

UPCOMING
RULES & REC

GULATIONS

- The Division of Oil and Public Safety has scheduled a regulation revision hearing on November 1, 2022, to discuss revisions to the Conveyance Regulations regarding elevators, escalators and other conveyances. These revisions will generally clarify language in several sections and will propose the de-regulation of specific devices as recommended in the Department of Regulatory Agencies' 2021 Sunset Review Report of these regulations.
- FAMLI's policy team has been knee-deep in the rulemaking process throughout the year. Rules for premiums and local governments went into effect early in 2022, and after considerable stakeholder engagement and reviewing nearly 300 written and oral comments received on specific provisions of the proposed benefits rules, [7 CCR 1107-3 Benefits and Employer Participation Requirements](#) were adopted in August and have an effective date of October 15, 2022.



- In September, the FAML Division filed proposed rules on [Regulations Concerning Private Plans \(7 CCR 1107-5\)](#) with the Secretary of State and the Department of Regulatory Agencies. Stakeholders are encouraged to participate in our [virtual public hearing](#) on **Monday, October 17, 2022** at 5 p.m. Rules regarding Coordination of Benefits and Employer Reimbursement of Advance Payment are on deck to be filed next.
- DLLS has notified its list of hundreds of stakeholders of its preliminary and impending late 2022 rulemaking, with information on stakeholder meetings, rulemaking hearings, and how to submit comments. Anyone interested who has not received such an email can ask for such information by emailing the Division's Director of Operations, Michael Primo, at michael.primo@state.co.us.





633 17th St. #201
Denver, CO 80202