



KNOWLEDGE #3: Colorado Wage & Hour Rights for Construction Workers

Each **KNOWLEDGE** (*Knowledge for Workers on Labor Law is Empowering & Drives Good Employment*) summarizes key labor rights, but is not binding law itself. Each **INFO** (*Interpretive Notice & Formal Opinion*) gives more detail on each topic.

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| <p>What PAY Do I Have a Right to?</p> <p><i>details in INFOS:</i> #1: key wage rules, & who's covered by them #3: what counts as wages & how they must be paid #16: deductions #20: what time is paid</p> | <p>Minimum Wage</p> | <p>In 2026, \$15.16, except higher in Denver (\$19.29) and some other local areas</p> <ul style="list-style-type: none"> The Division website posts all annual increases and local minimum wages |
| | <p>Overtime Pay ("Time & a half")</p> | <p>1½ times the regular pay rate: required after 40 hours a week or 12 a day, ✓ including for those with non-hourly pay — salary, piece rate, etc., ✗ but not for salaried supervisors or certain others with higher-level duties</p> |
| | <p>Pay for all Time Worked</p> | <p>All time spent for the employer's benefit must be paid, including: ✓ required time at any location, even just to wait (except some sleep time) ✓ check-in/out – timeclock, screening, gear pickup, time in line, etc. ✓ clothing/gear, setup/cleanup, or meeting/paperwork time outside shifts ✓ travel between worksites/offices or special trips – but not usual commutes</p> |
| | <p>Deductions from Pay, or Charges to Employees</p> | <ul style="list-style-type: none"> Lodging: not if use is required; only if in writing; & at most \$25-\$100/week Meals: only if optional, & for a meal's fair value or actual cost without profit Uniforms: only if plain/ordinary, not special; can't charge for cleaning, wear/tear Equipment: not for items that are for employer benefit; not if the cost drops pay below minimum wage; & only if employees agree in writing <p>✗ Never for: poor work quality, quitting without notice, employer losses, etc.</p> |
| <p>What BREAKS & TIME OFF Do I Have a Right to?</p> <p>#4: breaks #6: paid leave</p> | <p>Rest Breaks (paid)</p> | <p>10 minutes in every 4 hours (or multiple 5-minute breaks in some situations) • duty-free, but the employer can require you to stay at the workplace</p> |
| | <p>Meal Breaks (unpaid if duty-free)</p> | <p>30 minutes, in workdays of over 5 hours • duty-free & free to go off-site – if not, it's paid time, & must be allowed to eat</p> |
| | <p>Paid Leave</p> | <p>1 hour per 30 worked, up to 48 hours a year, for worker or family needs: ✓ 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</p> |
| <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: ✓ unused vacation pay, including paid time off that can be used for vacation ✗ but not sick, bereavement, or other pay limited to specific needs</p> |
| <p>Can an AGREEMENT Take Away My Rights?</p> <p>#10: misclassification</p> | <p>No:</p> | <p>No waiver, policy, or agreement (collective bargaining or individual) can allow: ✗ not paying minimum wage, overtime, or for any "time worked" ✗ disallowing breaks or sick leave, or making all leave unpaid ✗ misclassifying employees as independent contractors — look to actual facts, not just what documents say (contract, 1099, etc.), such as: - does the hirer benefit like a customer (with limited control, often in specialty work) or an employer (with more control, often for its primary work)? <i>and</i> - does the worker benefit like an employee or like someone running an independent business not subject to employer control?</p> |
| | <p>But:</p> | <p>Employees and employers can agree to: ✓ any pay rate (at least the minimum wage) ✓ any schedule or number of hours (with all required breaks) ✓ what if any paid time off is earned (other than required sick leave)</p> |
| <p>How Can I PROTECT My Rights?</p> <p>#2: complaint investigations</p> | <p>What's Protected from Retaliation or Interference</p> | <p>You have a right to complain of violations, or assert your rights: ✓ 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> |
| | <p>File a Claim, or a Confidential Tip</p> | <p>Report violations as to wages or hours (including breaks or leave), or retaliation: as a complaint to the Division, or in court, or as a confidential tip to the Division, by email or phone. Call or email the Division with any questions, in English or Spanish.</p> |