



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.

What PAY Do I Have a Right to? <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	Minimum Wage In 2023, \$13.65 (\$17.29 in Denver); in 2024, \$14.42 (\$18.29 in Denver) • The Division website posts all annual increases and local minimum wages
	Overtime Pay ("Time & a half") 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., ✗ except not for salaried supervisors or certain others with higher-level duties
	Pay for all Time Worked 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
	Deductions from Pay, or Charges to Employees • 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 : not if required ; & employers can't charge for cleaning or 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 • Not for : poor work quality , quitting without notice, etc.
What BREAKS & TIME OFF Do I Have a Right to? <i>details in INFOs:</i> #4 : breaks #6 : paid leave	Rest Breaks (paid) 10 minutes every 4 hours (or multiple 5-minute breaks, in some situations) • duty-free , but the employer can require you to stay at the workplace
	Meal Breaks (unpaid if duty-free) 30 minutes , in workdays of over 5 hours • duty-free & free to go off-site – if not, it's paid time, & you're allowed to eat
	Paid Leave 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 (as of 8/7/23)
WHEN Do I Have a Right to Be Paid?	Regular Paydays Employers must pay at least monthly , and post notice of paydays
	Departing Employees' Pay 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
Can an AGREEMENT Take Away My Rights?	No: 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)? and - does the worker benefit like an employee or like someone running an independent business not subject to employer control?
	But: Employees and employers can agree to: ✓ any pay rate (at least the minimum wage or direct care wage rate) ✓ any schedule or number of hours (with all required breaks) ✓ what if any paid time off is earned (other than required sick leave)
How Can I PROTECT My Rights? <i>details in INFOs:</i> #2 : complaints & investigations	What's Protected from Retaliation or Interference 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
	File a Claim, or a Confidential Tip 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.