



COLORADO SPRINGS Labor Laws

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Colorado - Modified Right-To-Work

Colorado's Right-to-Work law (RTW) a modified RTW statute is patterned after a Wisconsin RTW statute.

Most RTW laws prohibit clauses in labor/management contracts which compel employees of a given company to become members of the union local which is active in that company. Colorado's law does not prohibit such clauses, but sets certain conditions that must be met before such clauses can be included in the contract.

For instance: If a local union wishes to represent employees of ABC Company, the federal government conducts an election among ABC employees to determine whether they wish to be represented by that union. If the election favors union representation, a second election must be conducted, this time by the state government. A 75% majority is needed in order for the union to win the second election. If the second election favors mandatory union representation, a clause for compulsory union membership may be included in the union's contract with ABC Co's management. However, it is not required to be included; ABC Company can elect to grant or deny the union's request to include the mandatory membership clause.

The net effect of Colorado's modified RTW statute is a very low level of union activity among primary employers. There is essentially no union affiliation in manufacturing in Colorado Springs. There have been no work stoppages due to unions in the last decade and there has been only one union election in the last five years. This was a car dealership which accepted the union.



Colorado Minimum Wage Poster

Effective January 1, 2010

Regulates Wages, Hours, Overtime And Working Conditions For Employees In The
Following Industries:

Retail And Service, Commercial Support Service, Food & Beverage, And Health &
Medical

Minimum Wage	Paid at least \$7.24 PER HOUR shall be paid all adult employees and emancipated minors whether employed on an hourly, piecework, commission, time, task or other basis. "Tipped Employees" will be paid at least \$4.22 per hour.
Workday	Any consecutive twenty-four (24) hour period starting with the same hour each day and the same hour as the beginning of the workweek. The workday is set by the employer and may accommodate flexible work shift scheduling.
Workshift	The hours of work an employee is normally scheduled to work within a workday.
Workweek	Any consecutive seven (7) day period starting with the same calendar day and hour each week. A workweek is a fixed and recurring period of 168 hours, seven (7) consecutive twenty-four (24) hour periods.
Overtime	Employees shall be paid time and one-half of the regular rate of pay for any work in excess of: (1) Forty (40) hours per workweek; (2) Twelve (12) hours per workday; or (3) Twelve (12) consecutive hours without regard to the starting and ending time of the workday (excluding duty free meal periods), whichever calculation results in the greater payment of wages. Hours worked in two or more workweeks shall not be averaged for computation of overtime. Performance of work in two or more positions at different pay rates for the same employer shall be computed at the overtime rate based on the regular rate of pay for the position in which the overtime occurs, or at a weighted average of the rates for each position, as provided in the Fair Labor Standards Act.



<p>Tipped Employee</p>	<p>Any employee engaged in an occupation in which he or she customarily and regularly receives more than \$30.00 a month in tips. Tips include amounts designated as a "tip" by credit card customers on their charge slips. Nothing herein contained shall prevent an employer covered hereby from requiring employees to share or allocate such tips or gratuities on a pre-established basis among other employees of said business who customarily and regularly receive tips. Employer-required sharing of tips with employees who do not customarily and regularly receive tips, such as management or food preparers, or deduction of credit card processing fees from tipped employees, shall nullify allowable tip credits towards the minimum wage authorized in section 3(c).</p>
<p>Wearing of Uniforms</p>	<p>Where the wearing of particular uniform or special apparel is a condition of employment, the employer shall pay the cost of purchases, maintenance, and cleaning of the uniforms or special apparel. If the uniform furnished by the employer is plain and washable and does not need or require special care such as ironing, dry cleaning, pressing, etc., the employer need not maintain or pay for cleaning. An employer may require a reasonable deposit (up to one-half of actual cost) as security for the return of each uniform furnished to employees upon issuance of a receipt to the employee for such deposit. The entire deposit shall be returned to the employee when the uniform is returned. The cost of ordinary wear and tear of a uniform or special apparel shall not be deducted from the employee's wages or deposit.</p>
<p>Recovery Of Wages</p>	<p>An employee paid less than the legal minimum wage is entitled to recover in a civil action the unpaid balance of the full amount of such minimum wage, together with costs of the suit pursuant to § 8-6-118, C.R.S.</p>
<p>Rest Periods</p>	<p>Every employer shall authorize and permit rest periods, which insofar as practicable, shall be in the middle of each four (4) hour work period. A compensated ten (10) minute rest period for each four (4) hours or major fractions thereof shall be permitted for all employees. Such rest periods shall not be deducted from the employee's wages. It is not necessary that the employee leave the premises for said rest period.</p>



<p>Meal Periods</p>	<p>Employees shall be entitled to an uninterrupted and "duty free" meal period of at least a thirty minute duration when the scheduled work shift exceeds five consecutive hours of work. The employee must be completely relieved of all duties and permitted to pursue personal activities to qualify as a non-work, uncompensated period of time. When the nature of the business activity or other circumstances exist that makes an uninterrupted meal period impractical, the employee shall be permitted to consume an "on-duty" meal while performing duties. Employees shall be permitted to fully consume a meal of choice "on the job" and be fully compensated for the "on-duty" meal period without any loss of time or compensation.</p>	
<p>Dual Jurisdiction</p>	<p>Whenever employers are subject to both Federal and Colorado law, the law providing greater protection or setting the higher standard shall apply. For information on Federal law contact the nearest office of the U. S. Department of Labor, Wage and Hour Division, 1999 Broadway, Suite 2445, PO Box 46550 Denver, CO 80201-6550. Telephone (720) 264-3250.</p>	
<p>For Additional Information Or A Copy Of Wage Order #26</p>	<p>Contact:</p>	<p>COLORADO DIVISION OF LABOR Labor Standards Office 633 17th Street, Suite 200 Denver, Colorado 80202-3611 (303) 318-8441</p>
	<p>Available Now At:</p>	<p>http://www.colorado.gov/cs/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobkey=id&blobservice=MungoBlobs&blobwhere=1251616367255&ssbinary=true</p>

STATE OF COLORADO DIVISION OF LABOR

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Source: State of Colorado, Department of Labor & Employment