

BILL RITTER, JR.
Governor

DONALD J. MARES
Executive Director

MICHAEL J. McARDLE
Director of Labor



DEPARTMENT OF LABOR AND EMPLOYMENT DIVISION OF LABOR

Main: 633 17th Street, Suite 200, Denver, Colorado 80202-3660
Telephone (303) 318-8441 Toll Free 1-888-390-7936 Fax (303) 318-8400
Colorado Springs: 1259 Lake Plaza Drive, Suite 120, Colorado Springs, Colorado 80906
Telephone (719) 576-0447 Fax (719) 576-0451
<http://www.coworkforce.com/lab>

COLORADO EMERGENCY MINIMUM WAGE ORDER POSTER EFFECTIVE JANUARY 1, 2007

REGULATES WAGES, HOURS, OVERTIME AND WORKING CONDITIONS FOR COVERED EMPLOYEES IN THE FOLLOWING INDUSTRIES : RETAIL AND SERVICE, COMMERCIAL SUPPORT SERVICE, FOOD & BEVERAGE, AND HEALTH & MEDICAL

MINIMUM WAGE

OF AT LEAST **\$6.85** PER HOUR shall be paid all adult employees and emancipated minors whether employed on an hourly, piecework, commission, time, task or other basis.

WORKDAY

Any consecutive twenty-four (24) hours 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 work day.

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.

TIP CREDIT

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).

UNIFORMS

Where the wearing of a 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.

RECOVERY OF WAGES

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.

REST PERIODS

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.

MEAL PERIODS

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.

DUAL JURISDICTION

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 the 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.

MUST BE POSTED IN A CONSPICUOUS PLACE WHERE EMPLOYEES MAY READ