



New Colorado Wage Laws Include Posting, Distribution, And Translation Requirements

Insights

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We have previously reported about the new wage and hour laws heading to Colorado in the very near future, but there are some compliance requirements contained in the impending law that employers may easily overlook. Although employers must understand and adapt to all aspects of the new legal framework brought about by the Colorado Department of Labor and Employment's new Colorado Overtime and Minimum Pay Standards Order #36 (COMPS Order), you should ensure you pay attention to the COMPS Order's significant new posting, distribution, and translation requirements.

Posting

Rule 7.4.1 requires employers to display a poster version of the new COMPS Order. The COMPS Order poster must be located in "an area frequented by employees where it may be easily read during the workday."

In practice, you likely will want to display the COMPS Order poster in the same location as your other legally required employment postings. If a physical posting is impractical (for instance the workplace is outdoors), you must provide a copy of the COMPS Order poster to every employee "within his or her first month of employment" and to any employee upon request. Employers who fail to abide by the COMPS Order's posting requirements will be ineligible for various employee-specific credits, deductions, or exemptions, and may be subject to other penalties for violation of the Order.

Distribution

The COMPS Order addresses distribution requirements in Rule 7.4.2. Employers who give their employees "any handbook, manual, or written or posted policies" must also give their employees a copy of either the COMPS Order or the COMPS Order poster.

In practice, this means that whenever you give a new employee a handbook, manual, or policies, or whenever you re-issue your handbook, manual, or policies, you must provide the employees with a copy of either the COMPS Order or the COMPS Order poster. Additionally, if you have your employee sign an acknowledgment of receipt for a handbook, manual, or policy, you must also have them sign an acknowledgment of receipt for the COMPS Order materials "at the same time or promptly thereafter."

Translation

Lastly, Rule 7.4.3 requires that employers post and distribute to employees with “limited English language ability” versions of the COMPS Order and COMPS Order poster in the employee’s native language. The CDLE has indicated that it will provide a Spanish version of the COMPS Order and poster and will provide versions in other languages upon request. As with most of the COMPS Order’s provisions, the posting, distribution, and translation requirements become effective March 16, 2020.

Conclusion

Fisher Phillips will monitor the interpretation and application of the COMPS Order’s new provisions and provide updates as necessary. To get the most up-to-date information, ensure you are subscribed to [Fisher Phillips’ Alert System](#). If you have questions, please contact your Fisher Phillips attorney or any attorney in [our Denver office](#).

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