

**COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT
DIVISION OF LABOR**

**NOTICE OF PUBLIC HEARING CONCERNING
TWO PROPOSED SETS OF RULES:**

**COLORADO MINIMUM WAGE ORDER NUMBER 31
COLORADO WAGE PROTECTION ACT RULES**

Notice is hereby given of a public hearing to afford all interested persons an opportunity to be heard prior to the adoption of Colorado Minimum Wage Order Number 31, 7 CCR 1103-1 and the Colorado Wage Protection Act Rules, 7 CCR 1103-7 under the authority granted the Division of Labor in § 8-1-107(2)(p), § 8-6-106, § 8-6-108(2), § 8-6-109, § 8-4-111(1)(b), § 8-4-111(2)(a)(i), § 8-4-111.5(1), C.R.S. (2014).

Date and Time of Hearing: **Tuesday, November 4, 2014, at 2:00 p.m.**

Place of Hearing: **Colorado Division of Labor
633 17th Street, Second Floor, Suite 200
Denver, CO 80202**

This hearing will be held in accordance with the provisions of the Colorado Administrative Procedures Act, § 24-4-101, et seq., C.R.S. (2014), to receive any testimony, written data, views, or arguments which interested parties may wish to submit regarding the proposed rules.

Colorado Minimum Wage Order Number 31:

It is proposed, in accordance with Article XVIII, Section 15, of the Colorado Constitution, that the Director of the Division of Labor adopt Colorado Minimum Wage Order Number 31, 7 CCR 1103-1, to reflect the new state minimum wage.

Pursuant to Article XVIII, Section 15, of the Colorado Constitution, Colorado Minimum Wage Order Number 31 will establish a new state minimum wage of \$8.23 per hour.

Colorado Minimum Wage Order Number 31 differs from the current Colorado Minimum Wage Order Number 30 in the state minimum wage. Colorado Minimum Wage Order Number 31 also includes reference to the newly enacted Wage Protection Act of 2014.

Colorado Wage Protection Act Rules:

It is proposed that the Director of the Division of Labor adopt the Colorado Wage Protection Act Rules, 7 CCR 1103-7, to implement the Wage Protection Act of 2014.

Copies of the proposed sets of rules shall be available at least five days before the hearing at www.coloradolaborlaw.gov or:

Colorado Division of Labor
633 17th Street, Suite 200
Denver, Colorado 80202

To ensure sufficient time for consideration prior to adopting final rules, comments must be provided to the Division by the close of business on Thursday, November 6, 2014. Comments will be accepted at any time prior to the hearing.

Comments may be delivered by mail, faxed to 303-318-8400, or emailed to Elizabeth.Funk@state.co.us.

Comment Deadline: Thursday, November 6, 2014

STATEMENT OF BASIS AND PURPOSE

COLORADO MINIMUM WAGE ORDER NUMBER 31 7 CCR 1103-1

BASIS: § 8-1-107(2)(p), § 8-6-106, § 8-6-108(2), and § 8-6-109 C.R.S. (2014), provide the Director of the Division of Labor with the authority to adopt rules and regulations pertaining to state minimum wage rates and workplace conditions.

PURPOSE: The purpose of Colorado Minimum Wage Order Number 31 is to reflect the new state minimum wage of \$8.23 per hour. The new state minimum wage is required by Article XVIII, Section 15 of the Colorado Constitution, which provides:

Section 15. State minimum wage rate.

Effective January 1, 2007, Colorado's minimum wage shall be increased to \$6.85 per hour and shall be adjusted annually for inflation, as measured by the Consumer Price Index used for Colorado. This minimum wage shall be paid to employees who receive the state or federal minimum wage. No more than \$3.02 per hour in tip income may be used to offset the minimum wage of employees who regularly receive tips.

Pursuant to § 24-4-103(4)(b), C.R.S. (2014), the Director finds that: 1) there is a demonstrated need for the rules; 2) the proper statutory authority exists for the rules; 3) to the extent practicable, the rules are clearly stated so that their meaning will be understood by any party required to comply with the rules; 4) the rules do not conflict with other provisions of law; and 5) the duplicating or overlapping of the rules is explained by the agency proposing the rules.