


Colorado Direct Care Workers Notice of Rights

<p>Wage & Hour Rights: Unless exempt, employees must receive:</p> <ul style="list-style-type: none">● 2025 Minimum Wage: \$14.81 per hour, unless any of these higher amounts apply:<ul style="list-style-type: none">○ Local Minimum Wages: \$18.81 in Denver; for others, see ColoradoLaborLaw.gov○ Direct Care Base Wage: \$17.00 through 6/30/25● Time-and-a-Half Overtime: for weeks over 40 hours, or 12 hours a day or consecutively<ul style="list-style-type: none">○ Exception: 12-hour overtime isn't required for care workers under home- and community-based service waiver Medicaid funding, when working 24-hour shifts● Breaks:<ul style="list-style-type: none">○ Meal periods: 30 minutes unpaid, in any shift of at least 5 hours○ Rest periods: 10 minutes paid, per 4 hours worked<ul style="list-style-type: none">■ Exception: rest periods can be just 5 minutes, if they average 10 minutes per 4 hours, for care workers under home-/community-based service waiver Medicaid funding, when longer rest periods would interfere with health or safety, such as during continuous supervision of service recipients <p>For details and exemptions, see the COMPS Poster and Direct Care Workforce Base Wage site)</p>
<p>Employee Classification & Misclassification</p> <ul style="list-style-type: none">● Many of these and other labor rights apply to employees, not independent contractors● Whether a worker is an employee or contractor depends on not just what documents say (contract, 1099, etc.), but the the actual facts, such as:<ul style="list-style-type: none">○ 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)? <i>And</i>○ Does the worker benefit like an employee or like someone running an independent business not subject to employer control? <p>For details, see INFO #10 via the INFO webpage or QR Code below</p>
<p>Pay Equity</p> <ul style="list-style-type: none">● The Colorado Equal Pay for Equal Work Act requires that all public or private employers:<ol style="list-style-type: none">1. can't pay an employee less than another of a different sex for substantially similar work — unless the difference is for fair reasons (explained below);2. can't set pay based on, or ask about, prior pay rates of potential hires;3. can't restrict employees from discussing pay;4. must disclose pay in job postings, and disclose job opportunities to all employees; and5. can't fire or otherwise act against anyone for exercising rights (discussing pay, refusing to disclose prior pay, complaining of unequal pay, supporting others' rights, etc.). <p>For details, see INFO #8 via the INFO webpage or QR Code below</p>

<p>Paid Family and Medical Leave</p> <ul style="list-style-type: none">● Covered employees have the right to:<ul style="list-style-type: none">○ Care for their or family member○ Bond with a new child○ Make arrangements for family member's care○ Address immediate family member's needs● An extra four weeks of leave for certain family members <p>For details, see the FAMILY AND MEDICAL LEAVE page</p>
<p>Paid Sick Leave</p> <ul style="list-style-type: none">● Covered employees have the right to:<ul style="list-style-type: none">○ Medical care – diagnosis, treatment, and recovery○ Mental or physical health care○ Needs related to pregnancy, childbirth, or breastfeeding○ Bereavement, or death of family member <p>For details, see INFO #6B (Sick Leave)</p>
<p>Direct Care Worker and Contractor</p> <ul style="list-style-type: none">● Direct care employers and contractors must:<ol style="list-style-type: none">1. A worker exercising rights under this Act2. A direct care contractor who is not a direct care worker <p>For details, see Colorado Labor Law</p>
<p>Resources from the Division of Labor Standards and Enforcement</p> <div><p>DLSS Main Page ColoradoLaborLaw.gov</p></div>
<p>Questions about these labor rights:</p> <ul style="list-style-type: none">● Call Center: (303) 318-2600● Email: cdle_labor_standards@colorado.gov