



VanderHouwen

Recruiting • Relationships • Opportunity

COLORADO HANDBOOK ADDENDUM

Effective January 1, 2021

Paid Sick and Safe Leave and Public Health Emergency Leave (Page 1-5)

VanderHouwen provides eligible employees with paid sick and safe leave (PSSL) and public health emergency leave (PHEL) in accordance with the requirements of Colorado's Healthy Families and Workplaces Act (HFWA).

Eligibility

Colorado employees are eligible to accrue PSSL and may receive additional leave for use during a public health emergency (as defined further below).

Accrual and Use of Paid Sick and Safe Leave

Eligible employees will begin to accrue PSSL on January 1, 2021, or their date of hire, whichever occurs later. PSSL accrues at a rate of one hour for every 30 hours worked, up to a maximum accrual of 48 hours in a single calendar year. Exempt employees accrue PSSL based on their normal hours worked, up to a maximum of 40 hours per week.

PSSL can be used as it is accrued. However, VanderHouwen may verify employee hours within the month after work is performed and adjust PSSL accrual amounts to correct any inaccuracy. VanderHouwen will notify employees in writing of any such change in accrued PSSL amounts.

PSSL may be used in one-hour increments. Eligible employees may use up to 48 hours of PSSL in any Benefit Year. Failure to use PSSL in good faith and for the reasons specified in this policy can result in discipline.

Each employee will be provided an accounting of the amount of accrued and unused sick time available. *Please check your pay stub for this information or contact payroll@vanderhouwen.com.*

Qualifying Absences

Eligible employees may use PSSL for the following reasons:

- When a mental or physical illness, injury or health condition prevents the employee from working.

- To care for a family member who has a mental or physical illness, injury or health condition.
- To obtain a medical diagnosis, care or treatment of a mental or physical illness, injury or health condition of the employee or employee's family member.
- To obtain preventive medical care for the employee or employee's family member.
- If the employee or a family member is the victim of domestic abuse, sexual assault or harassment and needs leave to:
 - Seek medical attention to recover from a mental or physical illness, injury or health condition caused by the domestic abuse, sexual assault, or harassment.
 - Obtain services from a victim service organization.
 - Obtain mental health or other counseling.
 - Seek relocation due to the domestic abuse, sexual assault, or harassment; or
 - Seek legal services, including preparing for or participating in a civil or criminal proceeding relating to or resulting from the domestic abuse, sexual assault, or harassment.

When, due to a public health emergency (as defined below), a public official has ordered the closure of:

- The employee's place of business; or
- The school or place of care of the employee's child and the employee needs to be absent from work to care for their child.

For purposes of this policy, a "family member" means:

- An employee's immediate family member (i.e., a person related by blood, marriage, civil union, or adoption).
- A child to whom the employee stands in loco parentis.
- A person who stood in loco parentis to the employee when the employee was a minor; or
- A person for whom the employee is responsible for providing or arranging health-or safety-related care.

Use of Sick Time

Sick time may be used for qualifying absences in increments of one hour and may be used to cover all or part of a shift. Employees must use sick time for qualifying absences. However, employees may choose to trade shifts instead of using sick time if approved by his or her supervisor. When using sick time, employees are not required to find coverage for their shift.

When using sick time, employees will be paid at the rate the employee would have earned had they not been absent, however, employees will not be paid for lost tips, commissions, or overtime.

Accrued, but unused sick time will not be paid to the employee upon termination, resignation, retirement, or other separation of employment. An employee rehired within 6 months of separation is entitled to use previously accrued sick time immediately upon re-employment.

Employee Notice

For planned sick time, the employee should notify Human Resources up to 10 days prior to the

date the time will commence or as soon as practicable. Employees must make reasonable efforts to schedule planned sick leave in a manner that does not unduly disrupt operations.

When the need for PSSSL is foreseeable, employees must make a good faith effort to provide advance notice of the need for leave and a reasonable effort to schedule the leave in a manner that does not unduly disrupt VanderHouwen's operations. To provide this advance notice of the foreseeable need to use PSSSL, employees should contact Human Resources.

Employees are not required to search for or find a replacement worker to cover the hours during which they are using PSSSL. VanderHouwen will not count employees' use of PSSSL in compliance with this policy as an absence when evaluating absenteeism. Therefore, any such use of PSSSL will not lead to or result in discipline, demotion, suspension, or termination.

Employee Documentation

Employees are to submit VanderHouwen's Paid Sick Leave Request Form when requesting paid sick time for the appropriate pay period. If an employee uses more than three consecutive days of sick time, VanderHouwen may request supporting documentation verifying the employee was out for a qualifying reason.

If the documentation submitted by the employee is not sufficient, VanderHouwen will notify the employee of the deficiency. The employee will then have 15 days to provide adequate documentation. In accordance with the HWFA, VanderHouwen does not require the disclosure of details regarding an employee's or employee's family member's health information or the domestic violence, sexual assault, or stalking that is the basis for the request for leave. When possible, employees should include the expected duration of the absence in their request for leave.

Carryover of PSSSL

Employees can carry over up to 48 hours of accrued but unused PSSSL from one Benefit Year to the next. However, employees may not use more than 48 hours of PSSSL in a Benefit Year.

VanderHouwen does not offer pay in lieu of actual PSSSL.

Interaction with Other Leave

VanderHouwen may provide other forms of leave for employees to care for medical conditions or for issues related to public health emergencies or domestic abuse, sexual assault, or harassment under certain federal, state, and local laws. In certain situations, leave under this policy may run at the same time as leave available under another federal, state, or local law, provided eligibility requirements for that law are met. VanderHouwen is committed to complying with all applicable laws. Employees should contact Human Resources for information about other federal, state, and local medical, victim, public health emergency or family leave rights.

Confidentiality

VanderHouwen will keep confidential the health or safety information of an employee or

employee's family member. Such information will not be disclosed except to the affected employee, with the written permission of the affected employee or as otherwise required by law.

Prohibition on Discrimination

Employees have the right to request and use PSSL and PHEL in a manner consistent with the HWFA. VanderHouwen will not discriminate or retaliate, or tolerate discrimination or retaliation, against any employee who: seeks or obtains leave in accordance with this policy; files a complaint regarding an alleged violation of the HWFA; participates in an investigation, hearing or proceeding or cooperates in or assists with an investigation related to an alleged violation of the HWFA; informs any person of their potential rights under the HWFA; or otherwise exercises their rights under the HWFA.

Public Health Emergency Leave

In addition to the PSSL described above, VanderHouwen will provide covered employees with PHEL in accordance with the terms below.

For purposes of this policy, a "public health emergency" is:

- An act of bioterrorism, a pandemic influenza or an epidemic caused by a novel and highly fatal infectious agent, for which:
 - An emergency is declared by a federal, state or local public health emergency; or
 - A disaster emergency is declared by the governor; or
 - A highly infectious illness or agent with epidemic or pandemic potential for which a disaster emergency is declared by the Governor.

On the day a public health emergency is declared, employees will immediately be able to access a one-time supplement of PHEL in addition to whatever amount of PSSL employees have accrued prior to the declaration of the public health emergency.

Employees who normally work 40 or more hours in a week are allowed to take up to 80 hours of total paid leave. Employees who normally work fewer than 40 hours per week are entitled to take paid leave equaling either the amount of time the employee is scheduled to work in the upcoming 14-day period or the amount of time the employee actually worked on average in the 14-day period prior to the declaration of the public health emergency, whichever is greater.

From the declaration of a public health emergency until four weeks after the official termination or suspension of the emergency declaration, PHEL can be used for any of the following reasons:

- To self-isolate and care for oneself or a family member who is self-isolating because the employee or family member is diagnosed with, or experiencing symptoms of, a communicable illness that is the cause of a public health emergency;
- To seek or obtain for oneself or care for family member who needs a medical diagnosis, care or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- To seek for oneself or a family member preventive care concerning a communicable illness that is the cause of a public health emergency;
- An employee is unable to work because the employee has a health condition that may increase susceptibility to or risk of communicable illness that is the cause of the public health emergency;

- Either VanderHouwen or a public health authority with appropriate jurisdiction determines that an employee's presence on the job or in the community would jeopardize the health of others because of the individual's exposure to a communicable illness that is the cause of a public health emergency or because the individual is exhibiting symptoms of such a communicable illness, regardless of whether the individual has been diagnosed with the illness;
- To care for a family member after either the family member's employer or a public health authority with appropriate authority determines that the family member's presence on the job or in the community would jeopardize the health of others because of the family member's exposure to a communicable illness that is the cause of a public health emergency or because the family member is exhibiting symptoms of such a communicable illness, regardless of whether the family member has been diagnosed with the illness;
- To care for a child or other family member when their child care provider is unavailable due to a public health emergency or their school or place of care has been closed due to a public health emergency (including when the school or place of care is physically closed but providing instruction remotely).

PHEL will become available on the date a public health emergency is declared and will remain available until four weeks after the official termination or suspension of the public health emergency. Employees are only eligible for these amounts of PHEL one time during the entirety of a public health emergency (even if the public health emergency is extended, amended, restated or prolonged).

During a public health emergency, employees will continue to accrue PSSSL in accordance with this policy. Any accrued, unused PSSSL will be counted in determining the amount of PHEL available.

When the need for PHEL is foreseeable and the workplace has not been closed, employees must notify VanderHouwen of the need for PHEL as soon as practicable. To provide notice of the need to use PHEL, employees should contact Human Resources.

Equal Employment Opportunity

As set forth in the National Handbook, VanderHouwen is committed to equal employment opportunity and to compliance with federal antidiscrimination laws. We also comply with Colorado law, which prohibits discrimination and harassment against any employees or applicants for employment based on race (including hair texture, hair type or protective hairstyles commonly or historically associated with race (e.g., braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros and headwraps)), color, creed, sex (including pregnancy, married women and unmarried mothers), religion, age (over 40), national origin, sexual orientation (including actual or perceived orientation and transgender status), ancestry, religion, civil air patrol status and lawful activities during nonworking hours. VanderHouwen also does not discriminate against qualified applicants because they did not apply through a private employment agency.

VanderHouwen generally does not discriminate against employees or applicants for employment solely because they are married to a co-worker, though exceptions exist where, for example, one

employee exercises supervisory authority over, audits or has access to VanderHouwen's confidential information about the other. VanderHouwen will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law.

Pregnancy Accommodation

Employees and applicants for employment may request a reasonable accommodation for health conditions related to pregnancy or the physical recovery from childbirth. VanderHouwen will provide a requested reasonable accommodation that would enable the employee or applicant to perform the essential functions of her job unless the accommodation would impose an undue hardship on VanderHouwen's business operations.

Reasonable accommodations may include but are not limited to: more frequent or longer breaks; more frequent restroom, food or water breaks; acquisition or modification of equipment or seating; limitations on lifting; temporary transfer to a less strenuous or less hazardous position, if available, with return to the current position after pregnancy; job restructuring; light duty, if available; assistance with manual labor; or a modified work schedule.

VanderHouwen may require that employees provide a certification from a licensed health care provider regarding the medical necessity of a reasonable accommodation.

VanderHouwen will not deny employment opportunities or take adverse employment actions against employees or otherwise qualified applicants for employment because they request or use reasonable accommodations in accordance with this policy.

Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact Human Resources.

Access to Personnel Files

Upon request, employees will be allowed to inspect their personnel files at least one time per year. Employees who wish to review their personnel files should contact Human Resources. The review will take place in the presence of a Company representative at a time that is convenient for both the employee and VanderHouwen. Employees are permitted to obtain a copy of their personnel files but may be required to pay reasonable costs for the duplication of the documents.

Following separation from employment, former employees may inspect and/or obtain a copy of their personnel files one time. The former employee may be required to pay reasonable costs for duplication of the documents.

For purposes of this policy, a personnel file does not include documents required by law to be placed in a separate file or records relating to:

- Confidential reports from previous employers of the employee;
- An active criminal investigation;
- An active disciplinary investigation by VanderHouwen or an active investigation by a regulatory agency; and

- Information that identifies an individual who made a confidential accusation against the employee.

Adoption Leave

Employees who are adoptive parents will be permitted to take leave under the same terms as leave provided to biological parents for the adoption of a child. Requests for additional leave due to the adoption of an ill child or child with a disability will be considered on the same basis as comparable cases of complications accompanying the birth of a child.

This policy does not apply to adoption by the spouse of a custodial parent or to second-parent adoption.

For further information or to request leave under this policy, contact a Human Resources.

Family Care Act Leave

Employees who are eligible for leave under the federal Family and Medical Leave Act (FMLA) and who are in registered domestic partnerships or civil unions may take leave in accordance with the FMLA to care for their domestic or civil union partners with a serious health condition. A serious health condition has the same meaning as reflected in VanderHouwen's Family and Medical Leave policy.

Employees seeking leave under this policy must comply with the eligibility, notice, certification and other requirements set forth in the Family and Medical Leave policy contained in the National Handbook and will be required to provide reasonable documentation of a family relationship.

Where applicable, Family Care Act leave and FMLA leave will run concurrently. For further information or to request leave under this policy, contact Human Resources.

Crime Victim Leave

Employees may take time off from work for the purpose of responding to a subpoena to testify in a criminal proceeding or to participate in the preparation of a criminal proceeding, if:

- The employee is a victim of the crime at issue in the proceeding;
- The employee is the crime victim's spouse, child by birth or adoption, stepchild, parent, stepparent, sibling, legal guardian or significant other (i.e., someone in a family-type living arrangement who would constitute the spouse or partner of the victim if they were married); or
- The victim is deceased or incapacitated, and the employee is the victim's spouse, partner, parent, child, sibling, grandparent, significant other or other lawful representative.

Employees, who are in custody for the crime, accused of the crime or otherwise accountable for the crime, are not eligible for time off under this policy.

Leave under this policy will be unpaid except that exempt employees will not incur any reduction in pay for a partial week absence due to witness duty.

Domestic Violence Victim Leave

Employees who are victims of domestic violence, including sexual abuse, stalking, sexual assault

or any other crime including an act found by a court to be domestic violence, may take up to three working days of unpaid leave time within a 12-month period. Only employees employed with VanderHouwen for 12 or more months are eligible for this leave.

Before taking unpaid leave under this policy, employees must exhaust any available sick leave.

Employees may use leave available under this policy to:

- Seek a civil protection order to prevent domestic abuse;
- Obtain medical care and/or medical health counseling for the employee or the employee's children to address physical or psychological injuries resulting from the act of domestic abuse, stalking, sexual assault or other crime involving domestic violence;
- Make the employee's home secure from the perpetrator of the crime or seek new housing to escape the perpetrator; or
- Seek legal assistance to address issues arising from the crime and attend and prepare for court-related proceedings arising from the act or crime.

Except in a case of imminent danger, an employee seeking leave from work under this policy must provide VanderHouwen with advance notice of the leave. In addition, VanderHouwen may require the employee to provide documentation verifying the need for the leave.

Confidentiality of the situation will be maintained to the extent possible. VanderHouwen will not retaliate or tolerate retaliation against any employee who seeks or obtains leave under this policy.

Jury Duty Leave

VanderHouwen encourages all employees to fulfill their civic responsibilities and to respond to jury service summons or subpoenas, attend court for prospective jury service or serve as a juror. Under no circumstances will employees be deprived of any benefits of employment, terminated, threatened, harassed or coerced because they request or take leave in accordance with this policy.

Employees will receive their regular compensation up to \$50 per day, unless otherwise agreed to by VanderHouwen, during the first three days of jury service. This includes part-time, casual and temporary employees, so long as their employment hours can be determined by a schedule, custom or practice established during the three-month period preceding jury service. Any additional time off under this policy will be without pay, except that exempt employees will not incur any reduction in pay for a partial week absence due to jury duty.

Employees seeking compensation for jury duty leave must provide a juror service certificate from the court as soon as practical. VanderHouwen will compensate the employee in accordance with this policy within 30 days of receiving the service certificate.

Employees should provide their supervisor with notice of any jury summons or subpoena within a reasonable amount of time after receipt and before their appearance is required.

Time Off to Vote

VanderHouwen encourages all employees to fulfill their civic responsibilities and to vote in all

public elections. Most employees' schedules provide sufficient time to vote either before or after working hours.

Employees who have less than three consecutive hours outside of work during which the polls are open will be allowed up to two hours of time off to vote, without loss of pay. Upon request, VanderHouwen will schedule the leave at the beginning or end of the employee's shift. VanderHouwen will otherwise specify when the leave may be taken.

Employees must provide notice of the need for time off prior to Election Day.

Civil Air Patrol Leave

Regular full-time and part-time employees who are members of the Civil Air Patrol are entitled to an unpaid leave of absence, not to exceed 15 workdays in any calendar year, when called to serve on a Civil Air Patrol mission.

Upon return from the leave, employees will be reinstated to their former position or to a similar position, so long as they:

- Had a nontemporary job before taking leave;
- Return as soon as practicable to their position after being relieved from service for the mission;
- Provide evidence that the service was satisfactorily completed; and
- Are still qualified to do the job.

Absence for Civil Air Patrol service will not affect an employee's rights to receive normal vacation, sick leave, bonuses, advancement or other advantages of employment that would otherwise be expected for the employee's particular job.

Military Leave

In addition to the military leave rights set forth in the National Handbook, regular full-time and part-time employees who are members of the Colorado National Guard are entitled to an unpaid leave of absence to perform active state service.

Additionally, regular full-time and part-time employees who are members of the Colorado National Guard or United States armed forces reserves may take up to 15 days of unpaid leave per calendar year for military training with the United States armed forces.

Upon return from active state service or military training, employees will be reinstated to their former position or to a position of like seniority, status and pay, so long as they:

- Had a nontemporary job before taking leave;
- Provide evidence that training, or service was satisfactorily completed; and
- Are still qualified to do the job.

Absence for military service or training will not affect an employee's rights to receive normal vacation, sick leave, bonuses, advancement or other advantages of employment that would otherwise be expected for the employee's particular job.

Qualified Volunteers Leave

Regular full-time and part-time (i.e., nontemporary) employees who are qualified volunteers will be allowed time off if called into service by a volunteer organization during a disaster, so long as they provide proof of their status as a qualified volunteer. For purposes of this policy, employees will be considered a qualified volunteer if the:

- Employee is a member of a volunteer organization that enters into a memorandum of understanding with a county sheriff, local government, local emergency planning committee or state agency;
- Volunteer organization is included on the qualified volunteer organization list created and maintained by the Department of Local Affairs;
- Employee is called to service through the volunteer organization under the authority of the county sheriff, local government, local emergency planning committee, or state agency to volunteer in a disaster; and
- Employer receives the appropriate verification from the Colorado Department of Local Affairs that: (a) indicates the volunteer was called to service by a volunteer organization for the purpose of assisting in a disaster; (b) verifies the volunteer reported for service and performed the activities required of him or her by the volunteer organization; and (c) includes the number of days of service that the volunteer provided.

Leave under this policy will not exceed 15 workdays in any calendar year and will be unpaid.

Employees, upon completion of the volunteer emergency service and return to work, will be restored to the same or similar position as they held prior to the leave. Taking leave under this policy will not affect an employee's rights to vacation, sick leave, bonus, advancement or other employment benefits or advantages relating to and normally to be expected for the employee's particular employment.

Employees must return to their employment position as soon as practicable after being relieved from service.

Leave may be denied if more than 20 percent of VanderHouwen's employees on any workday request such leave. Leave may also not be available for essential employees, defined as those employees VanderHouwen deems essential to the operation of VanderHouwen's daily enterprise, whose absence would likely cause VanderHouwen to suffer economic injury, or whose duties include assisting in disaster recovery for VanderHouwen.

Volunteer Firefighters Leave

Employees who serve as volunteer firefighters may take time off to respond to an emergency summons that occurred prior to the time the employee is scheduled to report to work.

Employees who serve as volunteer firefighters will also be allowed time off to respond to an emergency summons after the employee has begun work, if:

- VanderHouwen does not consider the employee to be essential to the daily operations of the employer's daily enterprise;

- The employee previously provided written verification of volunteer status from the fire chief; and
- The emergency is within the response area of the employee's fire department and is of such magnitude that all firefighters must respond.

Employees must provide written verification from the fire chief of the time, date and duration of the employee's response to the emergency.

Time off under this policy will be unpaid except that exempt employees may be paid, as required by law.

Additionally, if an employee who serves as a volunteer firefighter is called to a disaster, VanderHouwen's Qualified Volunteers Leave policy may also apply to the absence or leave from work.

Discussion of Wages

No employee is prohibited from inquiring about, disclosing, comparing or otherwise discussing their wages. VanderHouwen will not terminate, discipline, coerce or otherwise discriminate against employees because they make such inquiries, disclosures, comparisons or otherwise engage in such discussions of their wages.

Meal and Rest Breaks

Non-exempt employees who work five or more consecutive hours will be provided at least one 30-minute meal break. During the break employees will be relieved of all duties. An uninterrupted 30-minute meal break will be unpaid for non-exempt employees. If the nature of an employee's job or circumstances makes an uninterrupted meal break impracticable, the employee will be allowed an on-duty meal break without any loss of time or compensation.

Non-exempt employees will also be permitted a 10-minute rest break for every four hours of work, in accordance with the schedule below:

Duration of Shift in Hours	# of 10 Minute Rest Breaks	Comments
0 to < 2	0	Employees who work less than two hours in a workday are not required or permitted to take a rest break.
2 to < 6	1	Employees who work at least two hours in a workday but less than six hours in a workday are allowed one 10-minute rest break.

Duration of Shift in Hours	# of 10 Minute Rest Breaks	Comments
6 to < 10	2	Employees who work at least six hours in a workday but less than 10 hours in a workday are allowed two 10-minute rest breaks.
10 to < 14	3	Employees who work at least 10 hours in a workday but less than 14 hours in a workday are allowed three 10-minute rest breaks.

To the extent practical, rest periods will be provided in the middle of each four-hour work period. Employees who are unable to take all of the meal or rest breaks to which they are entitled in accordance with this policy, or who have been prevented or discouraged from taking a break to which they are entitled under this policy, should immediately notify Human Resources. VanderHouwen will not threaten, coerce, discriminate or otherwise retaliate against any employee who reports a violation of this policy or files a claim or participates in an investigation, hearing or other process or proceeding related to an alleged violation of federal or state wage and hour laws.

Overtime

Employees will be paid one and one-half times their regular rate of pay for any work in excess of: (1) 40 hours per week; (2) 12 hours per workday; or (3) 12 consecutive hours without regard to the starting and ending time of the workday (excluding duty-free meal breaks), whichever calculation results in the greatest payment of wages.

Lactation Accommodation

VanderHouwen will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's child. VanderHouwen will provide this break time for up to two years following the birth of a child.

Nursing mothers can elect to take time to express breast milk during their regularly scheduled meal and rest breaks. If the break time cannot run concurrently with the meal and/or rest breaks already provided to the employee, the break time will be unpaid for non-exempt employees. Where additional breaks are required, employees should work with their supervisor regarding scheduling.

VanderHouwen will make reasonable efforts to provide employees with the use of a private location, other than a toilet stall, in close proximity to the employee's work area for the employee to express milk.

Employees should provide reasonable notice to VanderHouwen that they intend to take breaks for expressing breast milk upon returning to work. Employees should discuss with their

supervisor or Human Resources the location to express their breast milk and for storage of expressed milk and to make any other arrangements under this policy.

VanderHouwen reserves the right to not provide additional break time or a private location for expressing breast milk if doing so would substantially disrupt VanderHouwen's operations.

VanderHouwen will not demote, terminate or otherwise take adverse action against an employee who requests or makes use of the accommodations and break time described in this policy.

Smoke-Free Workplace

VanderHouwen prohibits smoking marijuana or any other substance that is illegal under federal law or Colorado law anywhere on its premises.

VanderHouwen prohibits smoking in the workplace and within 15 feet of any window, ventilation intake or entrance to the workplace. For purposes of this policy, smoking includes the use of electronic smoking devices (e.g., e-cigarettes or vaping). Employees wishing to smoke must do so outside of company's facilities, in locations where smoke does not migrate back into the workplace, during scheduled work breaks.

Employees that observe other individuals smoking in the workplace have a right to object and should report the violation to their supervisor or to another member of management. Employees will not be disciplined or retaliated against for reporting smoking that violates Colorado law or this policy.

Employees that violate this policy may be subject to disciplinary action up to and including termination.

COLORADO COMPS ORDER #36 POSTER Colorado Overtime and Minimum Pay Standards Order Effective March 16, 2020

Colorado Minimum Wage: \$12.00 per hour, or \$8.98 for Tipped Employees, effective 1/1/2020.

- The minimum wage adjusts annually by inflation; next year's COMPS Order and Poster will provide the 2021 minimum wage.
- The minimum wage applies to all adults and emancipated minors, whether paid hourly or another basis (salary, commission, piecework, etc.), unless exempted by COMPS Order Rule 2. Unemancipated minors may be paid 15% below the minimum.
- The federal minimum wage (\$7.25) and any local minimum wages (including \$12.85 in Denver as of 1/1/20) may also apply. If work is covered by multiple minimum or overtime wage rules, the rule with the higher wage or standard applies.

Overtime: 1½ times the regular pay rate for hours over 40 weekly, 12 daily, or 12 consecutive.

- Hours in two or more weeks cannot be averaged in computing overtime.
- Employers may not provide time off (often called "comp time") instead of time-and-a-half premium pay for overtime hours.

Meal Periods: 30 minutes uninterrupted and duty-free, for shifts over 5 hours.

- Employees must be completely relieved of all duties, and allowed to pursue personal activities, for meal periods to be unpaid.
- If work makes uninterrupted meal periods impractical, eating an on-duty meal must be permitted, and the time must be paid.
- To the extent practical, meal periods must be at least 1 hour after starting and 1 hour before ending shifts.

Rest Periods: 10 minutes, paid, every 4 hours.

#Work Hours	Up to 2	>2, up to 6	>6, up to 10	>10, up to 14	>14, up to 18	>18, up to 22	>22
# Rest Periods	0	1	2	3	4	5	6

- Rest periods need not be off-site but must not include work and should be in the middle of the 4 hours to the extent practical.
- Two 5-minute rest periods, instead of one 10-minute, are permitted if employees and employers agree voluntarily and without coercion, and if 5 minutes is enough to go back and forth to a bathroom or other place where a genuine break would be taken. Additional flexibility with 5-minute periods applies to agriculture, Medicaid home care, and collectively bargained work.
- Employers that do not authorize and permit rest periods must pay extra for the work time that would have been rest periods.

Time Worked: Time employers allow performance of labor/services for their benefit must be paid.

- All time on-premises, on duty, or at prescribed workplaces (but not just letting off-duty employees be on-premises), including:
 - putting on or removing work clothes/gear (but not clothes worn outside work), cleanup/setup, or another off-the-clock duty;
 - awaiting assignments at work, or receiving or sharing work-related information; or
 - security/safety screening, clocking/checking in or out; or
 - waiting for any of the above tasks.
- Travel for employer benefit is time worked; normal home/work travel is not.
- For more on travel time and sleep time, see Rule 1.9.2.

Deductions, Credits, & Charges from Wages: Subject to limits in C.R.S. 8-4-105 and below.

- Tip credits of up to \$3.02 per hour (lowering minimum wages to \$8.98) are allowed for those regularly, customarily receiving over \$30 per month in tips. If hourly pay plus tips is below the full minimum wage, the employer must pay the difference.
- Meal credits are allowed for the cost or value (without employer profit) of a voluntarily accepted meal.

- Lodging deductions are allowed only if housing is voluntarily accepted by the employee, primarily for the employee’s (not employer’s) benefit, recorded in writing, and limited to \$25 or \$100 per week (depending on the housing type).
- Uniforms that are ordinary clothes, without special material or design, need not be provided; other uniforms must be provided at no cost. Employers must pay for any special cleaning required and cannot require deposits or deduct for ordinary wear and tear.

Exemptions from the COMPS Order: All listed in Rule 2; key exemptions listed below.

- Executives/supervisors, decision-making administrative employees, and professionals (Rule 2.2.1-3) paid the exempt salary:

Salary through 6/20	7/20-12/20	2021	2022	2023	2024	Each Year After 2024
Equal to at least minimum wage for all hours	\$35,568	\$40,500	\$45,000	\$50,000	\$55,000	Prior year’s salary, inflation-adjusted

- 20% owners, or at a nonprofit the highest-paid/highest-ranked employee, if actively engaged in management (2.2.5).
- Highly technical computer-related employees (defined in 2.2.10), if paid at least \$27.63 per hour.
- Various in-residence workers, including property managers, range workers, and camp/outdoor education field staff (2.2.7).
- Various, but not all, types of salespersons (2.2.4, 2.4.1, 2.4.2) and transportation workers (2.2.6).
- Certain medical transportation and hospital/nursing home employees have modified overtime rules (2.4.4, 2.4.5).
- Downhill ski/snowboard employees, including on-mountain food but not lodging, are exempt from 40-hour overtime (2.4.3).
- Agriculture jobs are exempt from overtime and meal periods and have more flexibility as to rest periods (2.3).

Complaint & Anti-Retaliation Rights.

- The Division of Labor Standards and Statistics (contact info at the top of this Poster) accepts complaints for unpaid minimum or overtime wages required by federal, state, or local law. Alternatively, employees may file lawsuits in court.
- Parties liable for unpaid wages include the employer and an entity, and individuals with operational control over the entity.
- Employers cannot retaliate by threatening, coercing, or discriminating for purposes of reprisal, interference, or obstruction, as to actual or anticipated wage investigations, hearings, complaints, or proceedings.
- Violations of wage or anti-retaliation provisions may be reported to the Division as complaints or as anonymous tips.

Posting & Translation of COMPS Order Poster.

- Posting: Employers must display this Poster where employees can easily read it during the workday. If physical posting is impractical, employers must provide copies of this Poster or the COMPS Order to each employee in the first month of work.
- Distribution: Employers must provide this Poster upon request and include a copy with any written handbook or policies.
- Translation: If employees have limited English language ability and speak Spanish, employers must post this Poster in Spanish. If employees speak a language other than Spanish, the employer must ask the Division for a Poster in that language.

This Poster summarizes key wage rules in the COMPS Order, but not all, and should not be relied upon as complete information on wage rules. For the full COMPS Order and other wage law information, or with wage law questions, contact: Division of Labor Standards and Statistics, coloradolaborlaw.gov, cdle_labor_standards@state.co.us, 303-318-8441 / 888-390-7936.

**Colorado Handbook Addendum
Effective March 16, 2020**

I acknowledge that I have received the Colorado Handbook Addendum, including the COMPS Order #36 Poster, and that this document is intended to be an addition to the current Employee Handbook.

I understand that it is my responsibility to read and comply with these policies. I further understand that I should consult my manager or Human Resources regarding any questions raised by these policies and not answered by the Employee Handbook.

Employee's Name (printed): _____

Employee's Signature: _____

Date: _____