

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

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

**RULES OF PROCEDURE TO THE COLORADO LABOR PEACE ACT AND
INDUSTRIAL RELATIONS ACT
EMPLOYMENT OPPORTUNITY ACT RULES
SOCIAL MEDIA AND THE WORKPLACE LAW RULES
KEEP JOBS IN COLORADO ACT RULES
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 the Rules of Procedure to the Colorado Labor Peace Act and Industrial Relations Act: 7 C.C.R. 1101-1, the Employment Opportunity Act Rules: 7 C.C.R. 1103-4, the Social Media and the Workplace Law Rules: 7 C.C.R. 1103-5, the Keep Jobs in Colorado Act Rules: 7 C.C.R. 1103-6, and the Wage Protection Act Rules: 7 C.C.R. 1103-7 under the authority granted the Division of Labor Standards and Statistics in C.R.S. § 8-1-107(2)(p), § 8-1-103(3), § 8-1-111, § 8-3-105, § 8-2-126(6), § 8-2-127(5), § 8-17-101 et. seq., § 8-4-111(1)(b), § 8-4-111(2)(a)(i), and § 8-4-111.5(1) (2016).

Date and Time of Hearing: **Monday, July 10, 2017, at 1:00 p.m.**

Place of Hearing: **Colorado Division of Labor Standards and Statistics
633 17th Street, Sixth Floor
Denver, CO 80202**

This hearing will be held in accordance with the Colorado Administrative Procedure Act, C.R.S. § 24-4-101, et seq. (2017), to receive any testimony, written data, views, or arguments that interested parties may wish to submit regarding the proposed rules.

Rules of Procedure to the Colorado Labor Peace Act and Industrial Relations Act:

It is proposed that the Director of the Division of Labor Standards and Statistics adopt the amendments to the Rules of Procedure to the Colorado Labor Peace Act and Industrial Relations Act, 7 C.C.R. 1101-1, to clarify and modernize the processes required under the Acts.

The proposed rules differ from the current 7 C.C.R. 1101-1 in the petition process for union elections required under the Act and in the Division's name pursuant to House Bill 16-1323.

Employment Opportunity Act Rules:

It is proposed that the Director of the Division of Labor Standards and Statistics adopt the amendments to the Colorado Employment Opportunity Act Rules, 7 C.C.R. 1103-4, to clarify the hearing procedures under C.R.S. § 8-2-126.

The proposed rules differ from the current 7 C.C.R. 1103-4 in the hearing requirements and in the Division's name pursuant to House Bill 16-1323.

Social Media and the Workplace Law Rules:

It is proposed that the Director of the Division of Labor Standards and Statistics adopt the amendment to the Colorado Social Media and the Workplace Law Rules, 7 CCR 1103-5, to clarify the hearing procedures under C.R.S. § 8-2-127.

The proposed rules differ from the current 7 C.C.R. 1103-5 in the hearing requirements and in the Division's name pursuant to House Bill 16-1323.

Keep Jobs in Colorado Act Rules:

It is proposed that the Director of the Division of Labor Standards and Statistics adopt amendments to the Keep Jobs in Colorado Act Rules, 7 C.C.R. 1103-6, to clarify the hearing procedures under C.R.S. § 8-17-101, et seq.

The proposed rules differ from the current 7 C.C.R. 1103-6 in the hearing requirements and in the Division's name pursuant to House Bill 16-1323.

Wage Protection Act Rules:

It is proposed that the Director of the Division of Labor Standards and Statistics adopt the amendments to the Colorado Wage Protection Act Rules, 7 C.C.R. 1103-7, to supplement and clarify the statutory language and to provide a step-by-step guide to the Division's wage complaint process. The proposed rules completely revise the current 7 C.C.R. 1103-7.

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 Standards and Statistics
633 17th Street, Suite 600
Denver, Colorado 80202

To ensure sufficient time for consideration prior to adopting final rules, comments must be provided to the Division by 5:00 pm on Monday, July 10, 2017. 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: Monday, July 10, 2017 at 5:00 pm

**STATEMENT OF BASIS AND PURPOSE
FOR
PROPOSED AMENDMENTS TO
COLORADO EMPLOYMENT OPPORTUNITY ACT RULES
7 C.C.R. 1103-4**

BASIS: C.R.S. § 8-1-107(2)(p) and § 8-2-126 (2017) provide the Director of the Division of Labor Standards and Statistics with the authority to adopt and amend rules and regulations pertaining to the implementation of the Colorado Employment Opportunity Act.

PURPOSE: The purpose of the proposed amendments to the Colorado Employment Opportunity Act Rules is to clarify the hearing procedures under C.R.S. § 8-2-126, and to change the Division's name pursuant to House Bill 16-1323.

Pursuant to C.R.S. § 24-4-103(4)(b), 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.