



Work, Elevated. [People Strategy & Process](#) | [Recruiting](#) | [Training](#) | [Coaching](#)

[Compliance Update](#)

Four areas we want to make sure you know. As always, we are here to help you navigate any questions or challenges.

[Healthy Families and Workplaces Act](#)

The Healthy Families and Workplaces Act went into effect January 1, 2021 for employers with 16 or more employees which requires businesses to provide paid sick leave to their employees. Starting January 1, 2022, employers with less than 16 employees (all Colorado employers) will be required to offer paid sick leave to all employees (full-time and part-time).

High-level details

- This requirement is from State Bill 20-205, a part of the HFWA (Healthy Family and Workplace Act).
- 48 hours of leave per full-time employee must be provided during a calendar year (prorated for part-time employees). Employees will accrue 1 hour of sick leave for every 30 hours worked.
- Unused sick leave during a calendar year must be allowed to roll over to the next year. The employer does have some say on how much can be used in one calendar year if the employee has more than 48 hours available.
- [HFWA Details and Explanation](#)

[“Use It or Lose It” Vacation Policies](#)

The Colorado Supreme Court issued its decision in *Nieto v. Clark’s Market, Inc.* on June 14, 2021, addressing vacation pay under Colorado’s Wage Claim Act. Upon termination, the Wage Claim Act provides that all wages or compensation that are “earned, vested, determinable, and unpaid at the time of such discharge is due and payable immediately.” The definition of wages or compensation includes vacation pay and further provides, “If an employer provides paid vacation for an employee, the employer shall pay upon separation from employment all vacation pay earned and determinable in accordance with the terms of any agreement between the employer and employee.” Even if you call your vacation time, paid time off (PTO), the accrued PTO still needs to be paid out upon termination of employment. If you would like to read more information, please check out the [Supreme Court Opinion](#).

[Changes to Anti-Discrimination Statutes](#)

Effective on September 1, 2021, Colorado’s Anti-Discrimination Act (CADA) was amended to create “gender expression” and “gender identity” as protected categories. It also broadens the definition of “sexual orientation.”

The statutes add gender expression and gender identity to protected categories in housing discrimination and employment practices. Several other sections of the statute were also amended to prohibit discrimination against any person for gender identity and gender expression, in addition to the previously protected categories such as race, sex, gender, or religion. If you would like to read more information, please check out the [Gender Identity Expression Anti-Discrimination Bill Summary](#).

[Minimum Wage Increase](#)

Effective January 1, 2022 the minimum wage in Colorado will increase to \$12.56. Please note that Denver’s minimum wage increases to \$15.87 per hour on the same date.

- [Colorado Minimum Wage Information](#)
- [Denver Minimum Wage Information](#)

With these changes, it’s always a good idea to revisit your paid time off policies as well as your anti-discrimination policies. It is also a great time to consider making other changes to your policies and handbooks that are outdated or are no longer applicable.