

SB161_L.002

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business, Labor, & Technology.

SB22-161 be amended as follows:

- 1 Amend printed bill, page 10, line 10, strike "If," and substitute "(a) THE
2 DIVISION OR COURT, AS APPLICABLE, MAY AWARD THE EMPLOYER
3 REASONABLE COSTS INCURRED IN THE ADMINISTRATIVE CLAIM OR CIVIL
4 ACTION IF, WITHIN FOURTEEN DAYS AFTER A WRITTEN DEMAND LETTER IS
5 SENT OR AN ADMINISTRATIVE CLAIM OR A CIVIL ACTION IS SENT TO OR
6 SERVED ON THE EMPLOYER FOR UNPAID WAGES OR COMPENSATION:
7 (I) THE EMPLOYER MAKES FULL LEGAL TENDER OF ALL AMOUNTS
8 DEMANDED FOR ALL EMPLOYEES; AND
9 (II) THE EMPLOYEES RECEIVING SUCH TENDER:
10 (A) ARE HIGHLY COMPENSATED EMPLOYEES, AS DEFINED IN THE
11 ANNUAL COLORADO OVERTIME AND MINIMUM PAY STANDARDS (COMPS)
12 ORDER ADOPTED BY THE DIRECTOR, WHO PROCEED WITH AN
13 ADMINISTRATIVE CLAIM OR CIVIL ACTION SEEKING MORE THAN FIFTY
14 THOUSAND DOLLARS IN WAGES OR COMPENSATION PER EMPLOYEE; AND
15 (B) ULTIMATELY FAIL TO RECOVER A TOTAL SUM THAT IS
16 GREATER THAN THE AMOUNT THE EMPLOYER TENDERED.
17 (b) If,".

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