A BILL FOR AN ACT

CONCERNING THE ABILITY TO WAIVE MINIMUM WAGE REQUIREMENTS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

Current law establishes and requires an annual adjustment of the minimum wage for certain employees. The bill allows an applicant for employment or an employee to negotiate a different wage that is agreeable to the employer and the applicant or employee. The bill requires employers to post a notice of the right to negotiate wages.
Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, add 8-6-106.5 as follows:

8-6-106.5. Waiver of minimum wage. (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, AN APPLICANT FOR EMPLOYMENT OR AN EMPLOYEE OF AN EMPLOYER MAY CHOOSE TO WAIVE THE CONSTITUTIONAL MINIMUM WAGE RIGHT AND NEGOTIATE A WAGE THAT IS AGREEABLE TO THE APPLICANT OR EMPLOYEE AND THE EMPLOYER.

(2) AN EMPLOYER SHALL POST AND MAINTAIN A NOTICE TO INFORM APPLICANTS AND EMPLOYEES THAT THEY HAVE THE RIGHT TO NEGOTIATE WAGES AS SPECIFIED IN THIS SECTION. THE NOTICE MUST BE CONSPICUOUSLY POSTED AT A WORK LOCATION.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.