



State of Colorado

LEGISLATIVE REQUEST FOR INTERIM STUDY COMMITTEE

To: Legislative Council

Requested by: Representative Benavidez
With support of: Representative Bockenfeld, Representative Caraveo, Representative Coleman, Representative Duran, Representative Exum, Representative Gonzales-Gutierrez, Representative Herod, Representative Hooton, Representative Jackson, Representative Jaquez Lewis, Representative McKean, Representative McLachlan, Representative Melton, Representative Roberts, Representative Singer, Representative Sirota, Representative Snyder, and Representative Tipper.

Re: Request for interim study committee regarding civil wage theft laws and processes

Date: April 5, 2019

Information Required Pursuant to Section 2-3-303.3, C.R.S.

I hereby request that an interim study committee be formed to study the non-payment of wages during the interim between the 2019 and 2020 legislative sessions. The interim study committee would be named the "Civil Wage Theft Laws Interim Study Committee."

Wage theft is commonly defined as the failure of an employer to pay a worker the full wages to which the worker is legally entitled. Common forms of wage theft include paying less than the legal minimum wage, and failing to pay for overtime or for all the hours worked. According to a 2017 study by the Economic Policy Institute, workers in the ten most populous states lose approximately \$8 billion each year to minimum wage violations alone. These violations disproportionately impact workers who are young, women, people of color, and immigrants.

The interim study committee would be charged with studying ways to address the failure to pay wages in Colorado. This includes studying the potential of:

- strengthening civil remedies that are available to workers, including extending the statute of limitations, creating civil fines, creating liquidated damages, creating double or treble damages, and awarding attorney's fees to plaintiffs;
- creating protections regarding retaliation against workers who file wage theft complaints or lawsuits;
- improving the state's administrative processes to address wage theft; and
- considering other ways the state may address issues related to wage theft.

The interim study committee would need to meet up to six times to study the issues.

The interim study committee should consist of six members of the General Assembly selected as follows:

- three members of the Senate, with two appointed by the President of the Senate, and one appointed by the minority leader of the Senate.
- three members of the House of Representatives, with two appointed by the Speaker of the House of Representatives, and one appointed by the minority leader of the House of Representatives.

The appointments must be made by June 1, 2019.

The interim study committee will need five bills to address the issues it studies.

Additional Information Related to the Interim Study Committee Request

The Colorado Department of Labor and Employment and other experts in the field of wage theft may be called upon to provide assistance or information to the interim study committee.

Thank you for your consideration of this request.