

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Story

1 Amend reengrossed bill, page 2, strike lines 4 and 5 and substitute:

2 **"8-6-120. Overtime wages for agricultural employees -**
3 **agricultural employee outreach - definitions - rules."**

4 Page 3, after line 13 insert:

5 "(3) (a) IN ADDITION TO ANY WRITTEN NOTICE OBLIGATIONS
6 REQUIRED BY THIS SECTION, THE DEPARTMENT OF LABOR AND
7 EMPLOYMENT SHALL CONDUCT A PROGRAM TO COORDINATE DIRECT,
8 IN-PERSON OUTREACH TO AGRICULTURAL WORKERS TO PROVIDE
9 EDUCATION ABOUT THE OVERTIME RIGHTS OF AGRICULTURAL EMPLOYEES
10 ESTABLISHED PURSUANT TO THIS SECTION. THE OUTREACH PROGRAM
11 MUST:

12 (I) BE CONDUCTED WITHIN NINETY DAYS AFTER THE EFFECTIVE
13 DATE OF THIS SECTION, AS AMENDED;

14 (II) INCLUDE VISITS TO EMPLOYER-PROVIDED HOUSING SITES AND
15 OTHER RESIDENTIAL FACILITIES WHERE AGRICULTURAL EMPLOYEES
16 RESIDE, AT TIMES REASONABLY ESTIMATED TO REACH EMPLOYEES
17 OUTSIDE OF WORKING HOURS;

18 (III) BE CONDUCTED IN ENGLISH AND SPANISH AT A MINIMUM, AND
19 IN ANY ADDITIONAL LANGUAGE DETERMINED BY THE DEPARTMENT TO BE
20 NECESSARY TO REACH AGRICULTURAL EMPLOYEES IN COLORADO; AND

21 (IV) PROVIDE EMPLOYEES WITH CLEAR INFORMATION ABOUT:

22 (A) THE NEW OVERTIME THRESHOLD AND EFFECTIVE DATE;

23 (B) THE EMPLOYEES' RIGHT TO OVERTIME COMPENSATION;

24 (C) HOW TO CALCULATE OVERTIME PAY OWED; AND

25 (D) HOW TO FILE A WAGE COMPLAINT WITH THE DEPARTMENT IF
26 OVERTIME WAGES ARE NOT PAID.

27 (b) THE DEPARTMENT OF LABOR AND EMPLOYMENT SHALL ADOPT
28 RULES AS NECESSARY TO IMPLEMENT THIS SUBSECTION (3), INCLUDING
29 PROCEDURES FOR ACCESSING EMPLOYER-PROVIDED HOUSING SITES, AND
30 SHALL DEVELOP THE FORM AND CONTENT OF INFORMATION PROVIDED TO
31 EMPLOYEES DURING OUTREACH ACTIVITIES PURSUANT TO THIS
32 SUBSECTION (3)."

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