

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Garcia

1 Amend reengrossed bill, page 2, strike lines 4 and 5 and substitute:
 2 **"8-6-120. Overtime wages for agricultural employees - notice**
 3 **requirement - definitions - rules."**

4 Page 3, after line 13 insert:

5 **"(3) Notice to agricultural employers.**

6 (a) WITHIN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS
 7 SECTION, AS AMENDED, THE DEPARTMENT OF LABOR AND EMPLOYMENT
 8 SHALL PROVIDE WRITTEN NOTICE TO AGRICULTURAL EMPLOYERS OF THE
 9 CHANGE IN OVERTIME OBLIGATIONS PURSUANT TO THIS SECTION. SUCH
 10 NOTICE MUST:

11 (I) CLEARLY SET FORTH THE NEW WEEKLY OVERTIME THRESHOLD,
 12 THE EFFECTIVE DATE OF THE CHANGE IN OVERTIME OBLIGATIONS, AND THE
 13 METHOD FOR CALCULATING THE OVERTIME PREMIUM OWED TO
 14 AGRICULTURAL EMPLOYEES;

15 (II) DESCRIBE THE EMPLOYER'S RECORD-KEEPING OBLIGATIONS
 16 UNDER COLORADO LAW WITH RESPECT TO AGRICULTURAL EMPLOYEE
 17 HOURS AND COMPENSATION;

18 (III) IDENTIFY AVAILABLE RESOURCES, INCLUDING THE
 19 DEPARTMENT'S COMPLIANCE ASSISTANCE CONTACTS, FOR EMPLOYERS
 20 SEEKING GUIDANCE ON IMPLEMENTATION OF THIS SECTION; AND

21 (IV) BE PROVIDED IN PLAIN LANGUAGE THAT IS ACCESSIBLE TO
 22 EMPLOYERS WITH VARYING LEVELS OF FAMILIARITY WITH WAGE AND
 23 EMPLOYMENT LAW.

24 (b) TO CARRY OUT THE NOTICE OBLIGATIONS UNDER THIS SECTION,
 25 THE DEPARTMENT OF LABOR AND EMPLOYMENT SHALL COORDINATE WITH
 26 THE DEPARTMENT OF AGRICULTURE, THE DEPARTMENT OF REVENUE,
 27 COUNTY EXTENSION OFFICES, CONSULAR OFFICES SERVING AGRICULTURAL
 28 EMPLOYEE COMMUNITIES, AGRICULTURAL PRODUCER ASSOCIATIONS, AND
 29 NONPROFIT ORGANIZATIONS WITH ESTABLISHED RELATIONSHIPS WITH
 30 AGRICULTURAL EMPLOYEE POPULATIONS IN COLORADO.

31 (c) THE DIRECTOR SHALL ADOPT RULES AS NECESSARY TO
 32 IMPLEMENT THE NOTICE REQUIREMENT DESCRIBED IN THIS SUBSECTION
 33 (3), INCLUDING ESTABLISHING PROCEDURES FOR IDENTIFYING LANGUAGES
 34 IN ADDITION TO ENGLISH AND SPANISH IN WHICH NOTICE MATERIALS
 35 SHALL BE PRODUCED."

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