

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0971.01 Yelana Love x2295

SENATE BILL 26-160

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SENATE SPONSORSHIP

Rodriguez,

HOUSE SPONSORSHIP

(None),

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Senate Committees

Business, Labor, & Technology

House Committees

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A BILL FOR AN ACT

101 CONCERNING EMPLOYEE PROTECTIONS IN THE WORKPLACE.

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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>.)*

The bill prohibits employers from making deductions from the wages or compensation of an employee for personal protective equipment.

The bill also requires an employer with 500 or more employees who are engaged in the slaughter of livestock or the rendering or packaging of meat to provide its employees reasonable access to restrooms. The division of labor standards and statistics in the department of labor and employment may fine an employer who fails to provide

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

restroom access.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 8-4-101, **add** (12.5)  
3 as follows:

4 **8-4-101. Definitions.**

5 As used in this article 4, unless the context otherwise requires:

6 (12.5) (a) "PERSONAL PROTECTIVE EQUIPMENT" MEANS  
7 EQUIPMENT, CLOTHING, RESPIRATORY DEVICES, PROTECTIVE SHIELDS, AND  
8 PROTECTIVE BARRIERS PROVIDED BY AN EMPLOYER TO PROTECT ITS  
9 EMPLOYEES AGAINST RECOGNIZED HEALTH AND SAFETY HAZARDS.

10 (b) "PERSONAL PROTECTIVE EQUIPMENT" DOES NOT INCLUDE:

11 (I) NONSPECIALTY SAFETY-TOE PROTECTIVE FOOTWEAR,  
12 INCLUDING STEEL-TOE SHOES AND STEEL-TOE BOOTS, OR NONSPECIALTY  
13 PRESCRIPTION SAFETY EYEWEAR, WHEN THE EMPLOYER PERMITS SUCH  
14 FOOTWEAR OR EYEWEAR TO BE WORN OFF THE JOB SITE;

15 (II) BUILT-IN METATARSAL PROTECTION PROVIDED AT AN  
16 EMPLOYEE'S REQUEST;

17 (III) LOGGING BOOTS;

18 (IV) EVERYDAY CLOTHING, SUCH AS LONG-SLEEVED SHIRTS, LONG  
19 PANTS, STREET SHOES, AND NORMAL WORK BOOTS; AND

20 (V) ORDINARY CLOTHING, SKIN CREAMS, OR OTHER ITEMS USED  
21 SOLELY FOR PROTECTION FROM WEATHER, SUCH AS WINTER COATS,  
22 JACKETS, GLOVES, PARKAS, RUBBER BOOTS, HATS, RAINCOATS, ORDINARY  
23 SUNGLASSES, AND SUNSCREEN.

24 **SECTION 2.** In Colorado Revised Statutes, 8-4-105, **amend**  
25 (1)(b) as follows:

1           **8-4-105. Payroll deductions permitted - notice required.**

2           (1) An employer shall not make a deduction from the wages or  
3 compensation of an employee except as follows:

4           (b) Deductions for loans, advances, goods or services, and  
5 equipment or property, OTHER THAN PERSONAL PROTECTIVE EQUIPMENT,  
6 provided by an employer to an employee pursuant to a written agreement  
7 between such employer and employee, so long as it is enforceable and not  
8 in violation of law;

9           **SECTION 3.** In Colorado Revised Statutes, **add** 8-6-101.7 as  
10 follows:

11           **8-6-101.7. Meat workers - restrooms - definitions - fines.**

12           (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
13 REQUIRES:

14           (a) "EMPLOYEE" MEANS AN EMPLOYEE ENGAGED IN THE  
15 SLAUGHTER OF LIVESTOCK OR THE RENDERING OR PACKAGING OF MEAT.

16           (b) "EMPLOYER" MEANS AN EMPLOYER WITH FIVE HUNDRED OR  
17 MORE EMPLOYEES IN THE STATE.

18           (2) AN EMPLOYER SHALL NOT UNREASONABLY DENY AN EMPLOYEE  
19 THE USE OF A RESTROOM DURING WORK TIME.

20           (3) THE DIVISION MAY FINE AN EMPLOYER ONE HUNDRED DOLLARS  
21 PER EMPLOYEE FOR EACH VIOLATION OF SUBSECTION (2) OF THIS SECTION.  
22 THE FINE IMPOSED PURSUANT TO THIS SUBSECTION (3) MUST NOT EXCEED  
23 TWO HUNDRED DOLLARS PER EMPLOYEE PER WEEK.

24           **SECTION 4. Applicability.** This act applies to conduct occurring  
25 on or after the effective date of this act.

26           **SECTION 5. Safety clause.** The general assembly finds,  
27 determines, and declares that this act is necessary for the immediate

1 preservation of the public peace, health, or safety or for appropriations for  
2 the support and maintenance of the departments of the state and state  
3 institutions.