

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

SENATE BILL 26-160

BY SENATOR(S) Rodriguez and Gonzales J., Amabile, Ball, Benavidez, Bridges, Cutter, Exum, Hinrichsen, Jodeh, Kipp, Kolker, Lindstedt, Marchman, Mullica, Roberts, Sullivan, Wallace, Weissman, Coleman; also REPRESENTATIVE(S) Duran and Martinez, Bacon, Boesenecker, Brown, Camacho, Carter, Clifford, Espenosa, Froelich, Goldstein, Hamrick, Jackson, Joseph, Lieder, Lindsay, Lukens, Mabrey, Marshall, Mauro, McCormick, Nguyen, Ricks, Rutinel, Rydin, Sirota, Smith, Stewart K., Velasco, Zokaie, McCluskie.

CONCERNING EMPLOYEE PROTECTIONS IN THE WORKPLACE.

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

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

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

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

(12.5) (a) "PERSONAL PROTECTIVE EQUIPMENT" MEANS EQUIPMENT, CLOTHING, RESPIRATORY DEVICES, PROTECTIVE SHIELDS, AND PROTECTIVE

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

BARRIERS PROVIDED BY AN EMPLOYER TO PROTECT ITS EMPLOYEES AGAINST RECOGNIZED HEALTH AND SAFETY HAZARDS.

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

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

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

(III) LOGGING BOOTS;

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

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

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

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

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

(b) Deductions for loans, advances, goods or services, and equipment or property, OR ANY OTHER THING THAT PRIMARILY BENEFITS AN EMPLOYEE, WHICH DOES NOT INCLUDE PERSONAL PROTECTIVE EQUIPMENT, provided by an employer to an employee pursuant to a written agreement between such employer and employee, so long as it is enforceable and not in violation of law;

(2) EXCEPT FOR A DEDUCTION MADE IN ACCORDANCE WITH SUBSECTION (1)(a), (1)(a.5), OR (1)(d) OF THIS SECTION, nothing in this

section authorizes a deduction below the applicable minimum wage.

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

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

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

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

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

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

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

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

**SECTION 5. Safety clause.** The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

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James Rashad Coleman, Sr.  
PRESIDENT OF  
THE SENATE

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Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Esther van Mourik  
SECRETARY OF  
THE SENATE

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Vanessa Reilly  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO