



# Legislative Council Staff

## Research Note

Version: House Local Gov  
Date: 3/15/2016

### Bill Number

House Bill 16-1154

### Sponsors

*Representative DelGrosso  
(None)*

### Short Title

*Employer Definition Clarify  
Franchisee Status*

### Research Analyst

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### Status

This bill is currently pending before the House Local Government Committee. This research note reflects the introduced version of the bill.

### Summary

The bill requires that an entity have and exercise direct authority over an employee's terms and conditions of employment in order to be classified as an employer. It also clarifies that a franchisor is not an employer of a franchisee or the franchisee's employees except when a Colorado court makes specific findings regarding the protection of the franchisor's trademarks and brand.

### Background

The definitions of an employee and employer in statute depend on the area of labor law in which the terms are applied. This bill specifically addresses these terms in the following areas:

- industrial claim appeals;
- the Colorado Labor Peace Act;
- wages and wage equality regardless of sex;
- workplace accommodations for nursing mothers;
- workers' compensation; and
- general provisions for labor and industry.

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