

CHAPTER 133

LABOR AND INDUSTRY

HOUSE BILL 00-1291

BY REPRESENTATIVES Kester, Berry, Coleman, Dean, Decker, Gagliardi, George, Gotlieb, Hagedorn, Hoppe, May, Tapia, and Webster;
also SENATOR Dennis.

AN ACT

CONCERNING DELIVERY OF A TERMINATED EMPLOYEE'S FINAL PAYCHECK TO A LOCATION SELECTED BY THE EMPLOYER.

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

SECTION 1. 8-4-104 (1), Colorado Revised Statutes, is amended to read:

8-4-104. Termination of employment - penalty. (1) (a) When an interruption in the employer-employee relationship by volition of the employer occurs, the wages or compensation for labor or service earned and unpaid at the time of such discharge is due and payable immediately. If at such time the employer's accounting unit, responsible for the drawing of payroll checks, is not regularly scheduled to be operational, then the wages due the separated employee shall be made available to the employee no later than six hours after the start of such employer's next regular workday; EXCEPT THAT, IF THE ACCOUNTING UNIT IS LOCATED OFF THE WORK SITE, THE EMPLOYER SHALL DELIVER THE CHECK FOR WAGES DUE THE SEPARATED EMPLOYEE NO LATER THAN TWENTY-FOUR HOURS AFTER THE START OF SUCH EMPLOYER'S NEXT REGULAR WORKDAY TO ONE OF THE FOLLOWING LOCATIONS SELECTED BY THE EMPLOYER:

- (I) THE WORK SITE;
- (II) THE EMPLOYER'S LOCAL OFFICE; OR
- (III) THE EMPLOYEE'S LAST-KNOWN MAILING ADDRESS.

(b) When an employee quits or resigns such employee's employment, the wages or compensation shall become due and payable upon the next regular payday. When

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

a separation of employment occurs, the employer shall make the separated employee's check for wages due available AT ONE OF THE FOLLOWING LOCATIONS SELECTED BY THE EMPLOYER:

- (I) ~~at~~ The work site;
- (II) The employer's LOCAL office; or
- (III) ~~by mail to~~ The employee's last-known mailing address. ~~if requested by such employee.~~

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 24, 2000