



HR-Alert: Colorado Employment Law Update

There have been several updates to Colorado's employment law landscape, with significant changes beginning on January 1, 2024. Colorado employers should be aware of the following key changes detailed below:

- Covered employees may begin to take leave under [Paid Family and Medical Leave Insurance \(FAMLI\)](#) program as of January 1, 2024
- Colorado's current [Equal Pay for Equal Work Act](#) requires employers to disclose salary information on job postings, along with providing various notice requirements to current employees. Recent amendments expanded the requirement to disclose information about promotions and other internal opportunities. These amendments will take effect on January 1, 2024
- [Job Application Fairness Act \(JAFA\)](#) which prohibits employers from requesting age-related information from job applicants. JAFA will take effect on July 1, 2024

Paid Family and Medical Leave

Covered employees are entitled to up to 12 weeks of paid family and medical leave per year, with an additional 4 weeks provided for a serious health condition related to pregnancy or childbirth complications. Employers and employees began contributing to the program in 2023, and covered employees may begin to take leave as of January 1, 2024 for qualifying conditions. Please see more information on our previously published [HR-Alert](#).

Equal Pay Act

This law applies to all employers with at least one employee in Colorado. Under the new amendments, employers will be required to "make reasonable efforts to announce, post, or otherwise make known each job opportunity to all employees" prior to selecting a candidate to a position. A job opportunity is defined as a newly created or vacated position. Job opportunity postings must include:

- The hourly or salary rate or range of compensation
- A general description of the benefits and compensation applicable to the job opportunity; and
- The date the application window will close

If the employer is physically located outside of Colorado and has fewer than 15 employees in Colorado who work remotely, the employer is only required to provide Colorado employees notice of remote job opportunities rather than announce all opportunities company-wide. This provision will expire on July 1, 2029.

Additionally, within 30 calendar days of a selected candidate's start date, employers will be required to announce new hires and promotions. At a minimum, the notice must be given to employees with whom the candidate will work and include following information:

- The name of the candidate selected
- Their previous job title if the selection was internal
- The selected candidate's new job title
- Information on how employees may demonstrate interest in similar job opportunities in the future, including identifying individuals or departments to whom the employees can express interest in similar job opportunities

In addition to the above, where a posted position has a defined "career progression," employers must disclose and provide eligible employees with information on the requirements for career advancement, as well as details on compensation, benefits, full-time or part-time status, duties, and opportunities for further progression.

Job Application Fairness Act

Effective July 1, 2024, Colorado employers will be prohibited from requesting or requiring job applicants (notably, only at the time of an initial job application) to disclose information related to their age, date of birth, or dates of attendance at or date of graduation from an educational institution. Employers may request or require an applicant to provide copies of their transcripts or certification during the initial application process however, only if they notify applicants that they may redact information identifying their age, date of birth, and dates of attendance at or graduation from an educational institution.

Jafa permits employers to request that an applicant verify compliance with age requirements in an initial employment application, but only under limited circumstances such as, where age is a bona fide occupational qualification pertaining to public or occupational safety, or where required by federal, state, or local regulation. These verification requests must not, however, require disclosure of an individual's specific age, date of birth, or dates of attendance at or date of graduation from an educational institution.

Employer Next Steps

- Employers should review leave policies to ensure compliance with notice obligations and applicable PFML program requirements
- Employers should review their employment application, job posting, and pay equity practices to ensure compliance with the above-mentioned requirements

If you have any questions regarding this HR-Alert, please [email us](#).