



New CDLE Rules on Agriculture Overtime and Labor Conditions

The Colorado Department of Labor and Employment (CDLE) adopted the new rules as part of the implementation of Senate Bill 87 (SB 87). Introduced in February of 2021, SB 87 was signed into law by Governor Polis in late June of 2021. The new CDLE rules on agriculture overtime and labor conditions went into effect on January 1, 2022.

How We Got Here

Sponsored by Senator Jessie Danielson, Senator Dominick Moreno, Representative Karen McCormick, and Representative Yadira Caraveo, SB 87 requires all Colorado farms, ranches, and other agricultural businesses to pay workers at least minimum wage and overtime pay; and provides protections for working in heat and other dangerous conditions. SB 87 was introduced as a response to Colorado and federal law, which have exempted farm workers from overtime pay since the creation of the Fair Labor Standards Act in 1938.

What Is Changing

Overtime Rules: Beginning in November 2022, businesses will be required to pay workers overtime after 60 hours per week. In 2024, workers employed by highly seasonal employers and small businesses will be paid overtime after 56 hours, and all other employers will pay overtime after 54 hours. By 2025, all employers must pay overtime after 48 hours, with the exception of highly seasonal operators. [Summary table available here \(page 8\).](#)

Notice/Poster Requirements in the Workplace: With the new rules, there are also COMPS Order and Colorado Paid Leave and Whistleblower poster requirements. Employers must display these posters to notify workers of their rights. [Available here.](#)

Heat Illness and Injury Rules: Employers must provide at least 32 ounces of water per hour per employee, and a shaded resting area, when the temperature at a worksite is, or is forecast to be, 80 degrees or higher.

Access Rules: SB 87 requires agricultural employers to provide agricultural employees with access and transportation to key service providers.

Rule	Effective Date	Link to Rule
Colorado Overtime and Minimum Pay Standards (COMPS) (including agricultural wage-and-hour rules)	1/1/22	PDF
2022 Publication And Yearly Calculation of Adjusted Labor Compensation (2022 PAY CALC)	1/1/22	PDF
Wage Protection Rules	1/1/22	PDF
State Labor Relations Rules	3/2/22	PDF
Colorado Whistleblower, Anti-Retaliation, Non-Interference, and Notice-Giving Rules (“Colorado WARNING Rules”)	3/2/22	PDF
Agricultural Labor Conditions Rules	5/1/22	PDF

