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USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

HEALTH INSURANCE PROTECTION

• If you leave your job to perform military service, you have the right to elect to continue

authorized to investigate and resolve complaints of USERRA violations

VETS at 1-866-4-USA-DOL or visit its website at

http://www.dol.gov/elaws/userra.htm.

your existing employer-based health plan coverage for you and your dependents for up

• For assistance in filing a complaint, or for any other information on USERRA, contact

http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at



EEOC - EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

PRIVATE EMPLOYERS, STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS, EMPLOYMENT AGENCIES AND LABOR ORGANIZATIONS Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies

and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Title VII of the Civil Rights Act of 1964, GENETICS Title II of the Genetic Information Nondiscrimination Act of 2008 protects as amended, protects applicants and employees from discrimination in hiring, promotion, applicants and employees from discrimination based on genetic information in hiring, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national other aspects of employment. GINA also restricts employers' acquisition of genetic origin. Religious discrimination includes failing to reasonably accommodate an employee's information and strictly limits disclosure of genetic information. Genetic information religious practices where the accommodation does not impose undue hardship. DISABILITY Title I and Title V of the Americans with Disabilities Act of 1990, as amended, members; the manifestation of diseases or disorders in family members (family medical protect gualified individuals from discrimination on the basis of disability in hiring, history); and requests for or receipt of genetic services by applicants, employees, or their promotion, discharge, pay, fringe benefits, job training, classification, referral, and other family members.

aspects of employment. Disability discrimination includes not making reasonable **RETALIATION** All of these Federal laws prohibit covered entities from retaliating against accommodation to the known physical or mental limitations of an otherwise qualified a person who files a charge of discrimination, participates in a discrimination proceeding individual with a disability who is an applicant or employee, barring undue hardship. AGE The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in niring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

COLORADO

Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in same establishment.

promotion, discharge, pay, fringe benefits, job training, classification, referral, and includes information about genetic tests of applicants, employees, or their family

or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected: The U.S. SEX (WAGES) In addition to sex discrimination prohibited by Title VII of the Civil Rights Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC the payment of wages to women and men performing substantially equal work, in jobs field office information is available at www.eeoc.gov or in most telephone directories that require equal skill, effort, and responsibility, under similar working conditions, in the in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

RETALIATION Retaliation is prohibited against a person who files a complaint

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

RACE. COLOR. RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL employment, including the executive level. ORIGIN Executive Order 11246, as amended, prohibits employment discrimination based PROTECTED VETERANS The Vietnam Era Veterans' Readjustment Assistance Act of 1974, on race, color, religion, sex, sexual orientation, gender identity, or national origin, and as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires requires affirmative action to ensure equality of opportunity in all aspects of employment. affirmative action to recruit, employ, and advance in employment, disabled veterans, PAY SECRECY Executive Order 11246, as amended, protects applicants and employees recently separated veterans (i.e., within three years of discharge or release from active duty), from discrimination based on inquiring about, disclosing, or discussing their active duty wartime or campaign badge veterans, or Armed Forces service medal veterans. compensation or the compensation of other applicants or employees.

INDIVIDUALS WITH DISABILITIES Section 503 of the Rehabilitation Act of 1973, as of discrimination, participates in an OFCCP proceeding, or otherwise opposes amended, protects qualified individuals with disabilities from discrimination in hiring, discrimination under these Federal laws. Any person who believes a contractor has promotion, discharge, pay, fringe benefits, job training, classification, referral, and other violated its nondiscrimination or affirmative action obligations under the authorities aspects of employment. Disability discrimination includes not making reasonable above should contact immediately: The Office of Federal Contract Compliance Programs accommodation to the known physical or mental limitations of an otherwise qualified (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. individual with a disability who is an applicant or employee, barring undue hardship to the 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted employer. Section 503 also requires that Federal contractors take affirmative action to by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, employ and advance in employment qualified individuals with disabilities at all levels of listed in most telephone directories under U.S. Government, Department of Labor.

If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | www.dol.gov.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the receive Federal financial assistance. Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as prohibits discrimination on the basis of race, color or national origin in programs or amended, prohibits employment discrimination on the basis of disability in any program activities receiving Federal financial assistance. Employment discrimination is covered by or activity which receives Federal financial assistance. Discrimination is prohibited in all Title VI if the primary objective of the financial assistance is provision of employment, or aspects of employment against persons with disabilities who, with or without reasonable where employment discrimination causes or may cause discrimination in providing accommodation, can perform the essential functions of the job. If you believe you have services under such programs. Title IX of the Education Amendments of 1972 prohibits been discriminated against in a program of any institution which receives Federal financial employment discrimination on the basis of sex in educational programs or activities which assistance, you should immediately contact the Federal agency providing such assistance.

EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

Mandatory Supplement to EEOC P/E-1(Revised 11/09) "EEO is the Law" Poster

ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

For information, please contact The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

EMPLOYEE POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from which is more restrictive with respect to lie detector tests. using lie detector tests either for pre-employment screening or during the course EXAMINEE RIGHTS Where polygraph tests are permitted, they are subject to numerous of employment.

PROHIBITIONS Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, discriminating against an employee or prospective employee for refusing to take a ENFORCEMENT The Secretary of Labor may bring court actions to restrain violations test or for exercising other rights under the Act. **EXEMPTIONS** Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also ermits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law does not preempt any provision of any State or local law or any collective bargaining agreement

WC49 Rev 05/19

strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

COLORADO & FEDERAL LABOR LAW POSTER

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FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

ADDITIONAL INFORMATION

comply with both.

wage, and/or overtime pay provisions.

correctly classified independent contractors are not.

certificates issued by the Department of Labor.

The law requires employers to display this poster where employees can penalties for each willful or repeated violation of the minimum wage or readily see it. OVERTIME PAY At least 1 ½ times your regular rate of pay for all hours worked overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in

over 40 in a workweek. CHILD LABOR An employee must be at least 16 years old to work in the death or serious injury of any minor employee, and such assessments may most non-farm jobs and at least 18 to work in non-farm jobs declared be doubled when the violations are determined to be willful or repeated. The hazardous by the Secretary of Labor. Youths 14 and 15 years old may law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

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work outside school hours in various non-manufacturing, non-mining, nonhazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment. TIP CREDIT Employers of "tipped employees" who meet certain conditions

may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an mployee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

URSING MOTHERS The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money

FMLA - FAMILY AND MEDICAL LEAVE ACT

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS Eligible employees who work for a covered employer miles of the employee's worksite. for the following reasons: The birth of a child or placement of a child for adoption or foster care;

or placement care for the employee's spouse, child, or parent who has a qualifying

erious health condition;

employee unable to perform the employee's job; nember who is the employee's spouse, child, or parent.

period to care for the servicemember with a serious injury or illness. An employer determines that the certification is incomplete, it must provide a employee does not need to use leave in one block. When it is medically written notice indicating what additional information is required. necessary or otherwise permitted, employees may take leave intermittently or **EMPLOYER RESPONSIBILITIES** Once an employer becomes aware that an

use of accrued paid leave while taking FMLA leave. If an employee substitutes employer must notify the employee if he or she is eligible for FMLA leave and, accrued paid leave for FMLA leave, the employee must comply with the if eligible, must also provide a notice of rights and responsibilities under the emplover's normal paid leave policies.

must continue health insurance coverage as if the employees were not on FMLA leave, and if so, how much leave will be designated as FMLA leave leave. Upon return from FMLA leave, most employees must be restored to the **ENFORCEMENT** Employees may file a complaint with the U.S. Department of same job or one nearly identical to it with equivalent pay, benefits, and other Labor. Wage and Hour Division, or may bring a private lawsuit against an employment terms and conditions. An employer may not interfere with an employer. The FMLA does not affect any federal or state law prohibiting individual's FMLA rights or retaliate against someone for using or trying to use discrimination or supersede any state or local law or collective bargaining FMLA leave, opposing any practice made unlawful by the FMLA, or being agreement that provides greater family or medical leave rights. nvolved in any proceeding under or related to the FMLA.

LIGIBILITY REQUIREMENTS An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The mployee must: Have worked for the employer for at least 12 months

Have at least 1,250 hours of service in the 12 months before taking leave;

• Work at a location where the employer has at least 50 employees within 75

can take up to 12 weeks of unpaid, job-protected leave in a 12-month period *Special "hours of service" requirements apply to airline flight crew employees. REQUESTING LEAVE Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures. Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information perform his or her job functions, that a family member cannot perform daily

Certain occupations and establishments are exempt from the minimum

Special provisions apply to workers in American Samoa, the Commonwealth

Some state laws provide greater employee protections; employers must

Some employers incorrectly classify workers as "independent contractors"

the difference between the two because employees (unless exempt) are

entitled to the FLSA's minimum wage and overtime pay protections and

Certain full-time students, student learners, apprentices, and workers with

disabilities may be paid less than the minimum wage under special

WAGE AND HOUR DIVISION

JNITED STATES DEPARTMENT OF LABOR

1-866-487-9243

www.dol.gov/whd

when they are actually employees under the FLSA. It is important to know

of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.

Employees must inform the employer if the need for leave is for a reason for

For additional information or to file a complaint 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 WWW.WAGEHOUR.DOL.GOV U.S. Department of Labor Wage and Hour Division

you ensure that your employer receives advance written or verbal notice of your service; to 24 months while in the military. you have five years or less of cumulative service in the uniformed services while with • Even if you don't elect to continue coverage during your military service, you have that particular employe the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition you return to work or apply for reemployment in a timely manner after conclusion of exclusions) except for service-connected illnesses or injuries. service; and you have not been separated from service with a disgualifying discharge or under other ENFORCEMENT •The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is

You have the right to be reemployed in your civilian job if you leave that job to perform

than honorable conditions. If you are eligible to be reemployed, you must be restored to the job and benefits you vould have attained if you had not been absent due to military service or, in some cases, comparable job

IGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

COLORADO

Regulatory Agencies

Department of

proceeding under USERRA, even if that person has no service connection.

YOUR RIGHTS UNDER USERRA

REEMPLOYMENT RIGHTS

service in the uniformed service and:

If you: • are a past or present member of the uniformed service; • have applied for nembership in the uniformed service; or • are obligated to serve in the uniformed service; hen an employer may not deny you: • initial employment; • reemployment; • retention in employment; • promotion; or • any benefit of employment, because of this status.

 If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representatio addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a violations of USERRA.

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

· You may also bypass the VETS process and bring a civil action against an employer for

Publication Date — April 2017

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: http://www.dol. gov/vets/programs/userra/poster.htm. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



DISCRIMINATION IN EMPLOYMENT



EMPLOYMENT C.R.S. § 24-34-401 et sec

IT SHALL BE A DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE: to REFUSE TO HIRE, to DISCHARGE, to PROMOTE or DEMOTE, to HARASS during the course of employment, or to discriminate IN MATTERS of COMPENSATION, TERMS, CONDITIONS, or PRIVILEGES of employment.

BECAUSE OF: DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, GENDER EXPRESSION, RELIGION, AGE, NATIONAL ORIGIN or ANCESTRY, or, in certain circumstances, MARRIAGE TO A COWORKER.

REASONABLE ACCOMMODATIONS FOR DISABILITIES: An employee with a disability is entitled to a reasonable accommodation(s) which is necessary to perform the essential functions of the job. An accommodation is not reasonable if its provision would result in an undue hardship on the employer's business

PREGNANT WORKERS FAIRNESS ACT — C.R.S. § 24-34-402.3 An employee with a health condition(s) related to pregnancy or physical recovery from childbirth is entitled to a reasonable accommodation(s) necessary to perform the essential functions of the job. An accommodation is not reasonable if its provision would result in an undue hardship on the employer's business.

RETALIATION PROHIBITED — C.R.S. § 24-34-402(e) It is a discriminatory act to retaliate against a person who opposes a discriminatory practice or who participates in a discrimination investigation, proceeding or hearing.

HARING WAGE INFORMATION PROTECTED — C.R.S. § 24-34-402(i) An employer shall not discharge, discipline, discriminate against, coerce, intimidate, threaten, or nterfere with an employee or person due to an inquiry, disclosure or discussion of wages. An employer shall not require an employee to waive the right to disclose wage nformation

CROWN Act of 2020: Discrimination on the basis of one's race includes hair texture, hair type, or a protective hairstyle commonly or historically associated with race, such as braids, locs, twists, tight coils or curls, cornrows, Bantu knots, Afros, and headwraps. eff. 9/13/20.

TO FILE A COMPLAINT OF DISCRIMINATION, OR FOR MORE INFORMATION CONTACT THE COLORADO CIVIL RIGHTS DIVISION; 1560 BROADWAY, LOBBY WELCOME CENTER, SUITE # 110, DENVER, CO 80202

MAIN PHONE: 303-894-2997; HOTLINE ESPANOL: 720-432-4294; TOLL-FREE: 800-262-4845; V/TTD RELAY: 711; FAX: 303-894-7830; EMAIL: DORA CCRD@STATE.CO.US EMPLOYMENT DISCRIMINATION COMPLAINTS MUST BE FILED WITHIN SIX (6) MONTHS AFTER THE ALLEGED DISCRIMINATORY ACT OCCURRED.

vivision Director, Aubrey Elenis, Esq.

COLORADO

Regulatory Agencies

Colorado Civil Rights Division

Department of

ccrd.colorado.gov



Colorado Law Prohibits Discrimination in places of: PUBLIC ACCOMMODATION C.R.S. § 24-34-601 et sea.

PLACE OF PUBLIC ACCOMMODATION MEANS: ANY PLACE OF BUSINESS engaged in any SALES to the PUBLIC and ANY PLACE OFFERING SERVICES, FACILITIES, PRIVILEGES, ADVANTAGES, or ACCOMMODATIONS to the PUBLIC.

IT IS A DISCRIMINATORY PRACTICE AND UNLAWFUL FOR A PERSON DIRECTLY OR INDIRECTLY TO: REFUSE, WITHHOLD FROM, or DENY to an individual or a group JLL and FOUAL ENJOYMENT of the GOODS, SERVICES, FACILITIES, PRIVILEG

To bond with a child (leave must be taken within 1 year of the child's birth For the employee's own qualifying serious health condition that makes the could include informing an employer that the employee is or will be unable to For gualifying exigencies related to the foreign deployment of a military activities, or that hospitalization or continuing medical treatment is necessary An eligible employee who is a covered servicemember's spouse, child, parent, which FMLA leave was previously taken or certified. Employers can require a or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month certification or periodic recertification supporting the need for leave. If the

on a reduced schedule. Employees may choose, or an employer may require, employee's need for leave is for a reason that may qualify under the FMLA, the

FMLA. If the employee is not eligible, the employer must provide a reason for BENEFITS & PROTECTIONS While employees are on FMLA leave, employers ineligibility. Employers must notify its employees if leave will be designated as

WH1420a REV 04/16

WHE

WH1088 REV 07/16



1-866-487-9243 TTY-1-877-889-5627

www.dol.gov/whd

WH1462 REV 07/16

COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT DIVISION OF WORKERS' COMPENSATION

Colorado Workers' Compensation Information

Your employer has workers' compensation coverage for employees through:

Worker	s' compensation is a type of insurance coverage that employers must provide to their employee	es.
The cos	t of workers' compensation insurance is paid entirely by the employer and may not be deducted	d from
an emp	loyee's wages.	

If you are injured or sustain an occupational disease while at work, you may be entitled to compensation benefits as provided by law. WRITTEN NOTICE MUST BE GIVEN TO YOUR EMPLOYER WITHIN 4 WORKING DAYS OF THE ACCIDENT. If you don't report your injury or occupational disease promptly your benefits may be reduced.

If you are unable to work as the result of a work-related injury or occupational disease, compensation (wage replacement) benefits will be based on 2/3 of your average weekly wage up to a maximum set by law. No compensation is payable for the first 3 days' disability unless the period of disability exceeds two weeks.

You are entitled to reasonable and necessary medical treatment of compensable injuries or occupational diseases. If you notify your employer of an injury or occupational disease and are not offered medical care, you may select the services of a licensed physician or chiropractor.

You may file a Worker's Claim for Compensation with the Division of Workers' Compensation. To obtain forms or information regarding the workers' compensation system, you may call Customer Service at 303-318-8700 or toll-free at 1-888-390-7936 or visit our website at www.colorado.gov/cdle/dwc.

COLORADO DIVISION OF WORKERS' COMPENSATION

633 17th Street, Suite 400, Denver, CO 80202-3626

Any information provided below comes from your employer and is specific to this place of employment:

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

WORKERS' COMPENSATION

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COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT DIVISION OF LABOR | www.colorado.gov/cdle/labor **NOTICE OF PAYDAYS**

PAYDAY NOTICE

In accordance with 8-4-107, C.R.S.:

Every employer shall post and keep posted conspicuously at the place of work if practicable, or otherwise where it can be seen as employees come or go to their places of work, or at the office or nearest agency for payment kept by the employer a notice specifying the regular paydays and the time and place of payment, in accordance with the provisions of section 8-4-103, and also any changes concerning them that may occur from time to time. Pay periods can be no greater duration than a calendar month or 30 days, whichever is longer. Paydays must occur no later than 10 days following the close f each pay period. 8-4-103, C.R.S.

EMPLOYEES ARE PAID ON REGULAR PAYDAYS AS FOLLOWS:

Place:

This form is provided as a courtesy by the Colorado Division of Labor Standards and Statistics. Other Notice of Paydays Posters may be acceptable provided that they contain the elements and information required by 8-4-107, C.R.S.

COLORADO MINIMUM WAGE

COLORADO OVERTIME & MINIMUM PAY STANDARDS ORDER Effective 1/1/22: must update annually; COLORADO ("COMPS ORDER") #38, POSTER & NOTICE new poster available each mid-December

Colorado Minimum Wage: \$12.56/hour, or \$9.54 for Tipped Employees, in 2022 (Rule 3)

The minimum wage is adjusted each year for inflation, so the above amounts are for only 2022 All employees must be paid at least the minimum wage (unless exempt in Rule 2), whether paid hourly or another way (salary, commission, piecework, etc.), except unemancipated minors can be paid 15% under full minimum wage

Use the highest standard if other labor laws also apply, such as Denver's minimum wage (\$15.87 in 2022)

Overtime: 1¹/₂ times regular pay rates for hours over 40 weekly , 12 daily , or 12 consecutive (Rule 4)

- Overtime is required each week over 40 hours, or day over 12, even if 2 or more weeks or days average fewer hours Employers cannot provide time off ("comp time") instead of time-and-a-half premium pay for overtime hours
- Key variances/exemptions (all are detailed in Rules 2.3-2.4):
- Modified overtime in a small number of health care jobs; exemption for certain heavy vehicle drivers No 40-hour weekly overtime in downhill ski/snowboard jobs (but 56-hour overtime for many under federal law)
- Agriculture, as of 11/1/22: overtime after 60 hours; half-hour paid break in days over 12 hours, extra pay if over 15

Meal Periods: 30 minutes uninterrupted and duty-free, for shifts over 5 hours (Rule 1.9)

- Can be unpaid, but only if employees are completely relieved of all duties, and allowed to pursue personal activities
- If work makes uninterrupted meal periods impractical, eating on-duty must be permitted, and the time must be paid To the extent practical, meal periods must be at least 1 hour after starting and 1 hour before ending shifts

Rest Periods: 10 minutes, paid, every 4 hours (Rule 5.2)

#Work Hours:	Up to 2	>2, up to 6	>6, up to 10	>10, up to 14	>14, up to 18	18, up to 22	>22
#Rest Periods:	0	1	2	3	4	5	6

- Need not be off-site, but must not include work, and should be in the middle of the 4 hours to the extent practical
- Rest periods are time worked for minimum wage and overtime purposes, and if employers do not authorize and permit rest periods, they must pay extra for time that would have been rest periods, including for non-hourly-paid employees
- Key variances/exemption
- In some circumstances, 10-minute rest periods can be divided into two of 5 minutes (Rule 5.2.1)
- Agriculture: certain work requires more breaks; other is exempt (Rule 2.3, & Agricultural Labor Conditions Rules)

Time Worked: Pay for time employers allow performing labor/service for their benefit (Rule 1.9)

- All time on-premises, on duty, or at workplaces (but not just letting off-duty employees be on-premises), including putting on/removing work clothes/gear (but not clothes worn outside work), cleanup/setup, or other off-clock duty,
- waiting for assignments at work, or receiving or sharing work-related information,
- security/safety screening, or clocking/checking in or out, or
- waiting for any of the above tasks.
- Travel for employer benefit is time worked; normal home/work travel is not (details in Rule 1.9.2) Sleep time, if sufficiently uninterrupted and lengthy, can be excluded in certain situations (details in Rule 1.9.3).
- Deductions, Credits, Charges, & Withheld Pay (Rule 6, and Article 4 of C.R.S. Title 8)
- Final pay: Owed promptly (if a termination by employer) or at next pay date (if employee resigned) Vacation pay: Departing employees must be paid all accrued and unused vacation pay, including paid time off usable for vacation, without deducting
- or declaring forfeiture based on cause for termination, lack of resignation notice, etc. Deductions from pay: Allowed if listed below or in C.R.S. 8-4-105 (including deductions required by law, in a written agreement for the benefit of the
- employee, for theft in a police report, or for property loss after an audit) Tip credits: Employers can pay up to \$3.02 under minimum wage (\$9.54 in 2022, or \$12.85 in Denver), if: (a) tips (not mandatory service charges) raise
- pay to full minimum, & (b) tips aren't diverted to non-tipped staff/owners Meal credits/deductions: Allowed for the cost or value (without employer profit) of voluntarily accepted meals
- Lodging credits/deductions: Allowed if housing is voluntarily accepted by the employee, primarily for the employee's (not the employer's) benefit,
- recorded in writing, and limited to \$25 or \$100 per week (based on housing type)
- Uniforms: Must be provided at no cost unless they are ordinary clothes without special material or design; employers must pay for any special cleaning required, and cannot require deposits or deduct for ordinary wear and tear
- Exemptions from COMPS (Rule 2.2 lists all; key exemptions are below)
- Executives/supervisors, administrators, and professionals paid at least a salary (not hourly wages) of \$45,000 in 2022 (\$50,000 in 2023, \$55,000 in 2024, then inflation-adjusted), except \$28.92/hour for highly technical computer work
- Other highly compensated, non-manual-labor employees paid at least 2.25 the above salary (\$101,250 in 2022)
- 20% owners, or at a nonprofit the highest-paid/highest-ranked employee, if actively engaged in management Various (not all) types of salespersons, taxi drivers, camp/outdoor education field staff, or property managers
- **Record-Keeping & Notices of Rights** (Rule 7)
- Employers must give all employees (and keep for three years) pay statements that include time worked, pay rate (including any tips and credits), and total pav
- This year's poster must be displayed where easily accessible, or if not practical (such as for remote workers), provided within one month of beginning work and when employees request a copy
- Employers must include a copy of this poster, or a COMPS Order, in any employment handbook or manual
- Violation of notice of rights rules (posting or distribution), including by providing information undercutting this poster, may yield fines and/or ineligibility for employee-specific credits, deductions, or exemptions in COMPS

Complaint & Anti-Retaliation Rights (Rule 8)

- Employees can send the Division (contact info below) complaints or tips about violations, or file lawsuits in court
- Employers cannot retaliate against, or interfere with, employees exercising their rights Anonymous tips are accepted; anonymity or confidentiality are protected if requested (Wage Protection Rule 4.7)

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de Denver-metro).

- Owners and other individuals with control over work may be liable for certain violations not just the business, even if the business is a corporation,
- partnership, or other entity separate from its owner(s) (Rule 1.6) Immigration status is irrelevant to these labor rights: the Division will not ask or report status in investigations or rulings, and it is illegal for anyone to
- use immigration status to interfere with these rights (Wage Protection Rule 4.8)

This Poster is a summary and cannot be relied on as complete labor law information. For all rules, fact sheets, translations, questions, or complaints, contact: DIVISION OF LABOR STANDARDS & STATISTICS, ColoradoLaborLaw.gov, cdle_labor_standards@state.co.us, 303-318-8441 / 888-390-7936

BECAUSE OF: DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION GENDER IDENTITY, GENDER EXPRESSION, MARITAL STATUS, NATIONAL ORIGIN or ANCESTRY

SERVICE ANIMALS C.R.S. § 24-34-803; SERVICE ANIMAL DESIGNATION IS LIMITED TO A DOG OR MINIATURE HORSE — EMOTIONAL SUPPORT ANIMALS ARE NOT SERVIC ANIMALS. THE DOG MUST BE INDIVIDUALLY TRAINED TO PERFORM TASK(S) OR WORK RELATED TO A DISABILITY. THE MERE PRESENCE OF THE DOG MEANT TO PROVIDE MOTIONAL SUPPORT/THERAPY/ AND/OR COMPANIONSHIP IS NOT SUFFICIENT TO MEET THE DEFINITION OF A SERVICE ANIMAL. AN ENTITY MAY NOT REQUIRE OR REQUEST A LICENSE, REGISTRATION, OR OTHER DESIGNATION CONFIRMING STATUS AS A SERVICE ANIMAL. AN ENTITY MAY MAKE THE FOLLOWING INQUIRIES:

- 1.) IS THIS DOG A SERVICE ANIMAL TRAINED TO PERFORM A TASK(S) OR WORK RELATED TO A DISABILITY?
- 2.) WHAT IS THE TASK OR WORK THE DOG IS TRAINED TO PERFORM?

SERVICE ANIMAL MUST BE UNDER THE CONTROL OF ITS HANDLER AT ALL TIMES. THE HANDLER IS RESPONSIBLE FOR THE CARE OF THE SERVICE ANIMAL. INCLUDING TOILETING, FEEDING, AND OTHERWISE CARING FOR THE DOG. A SERVICE ANIMAL MAY BE DENIED ENTRY IF ITS PRESENCE WOULD RESULT IN A FUNDAMENTAL ALTERATION OF THE NATURE OF THE ENTITIES' OPERATIONS AND/OR MAINTENANCE OF A STERILE ENVIRONMENT. THE MERE PRESENCE OF A SERVICE ANIMAL IS NOT GROUNDS FOR A VIOLATION OF THE HEALTH CODE. SERVICE ANIMALS MUST BE ALLOWED IN DINING AREAS AND IN SELF SERVICE FOOD LINES. AN ENTITY MAY NOT CHARGE FEES FOR ALLOWING A SERVICE ANIMAL TO BE PRESENT

RETALIATION PROHIBITED: A PERSON WHO OPPOSES DISCRIMINATION, OR WHO PARTICIPATES IN THE INVESTIGATION OF DISCRIMINATION HAS ENGAGED IN PROTECTED ACTIVITY AND RETALIATION FOR ENGAGING IN A PROTECTED ACTIVITY IS PROHIBITED BY COLORADO LAW.

COLO. CIVIL RIGHTS COMM'N RULE 20.4 — DISCRIMINATORY SIGNAGE IN PLACES OF PUBLIC ACCOMMODATION: No person shall post or permit to be posted in any place of public accommodation any sign which states or implies the following: "WE RESERVE THE RIGHT TO REFUSE SERVICE TO ANYONE" — 3CCR708-1

CROWN Act of 2020: Discrimination on the basis of one's race includes hair texture, hair type, or a protective hairstyle commonly or historically associated with race, such as braids, locs, twists, tight coils or curls, cornrows, Bantu knots, Afros, and headwraps. eff. 9/13/20.

TO FILE A COMPLAINT OF DISCRIMINATION, OR FOR MORE INFORMATION CONTACT

THE COLORADO CIVIL RIGHTS DIVISION; 1560 BROADWAY, LOBBY WELCOME CENTER, SUITE #110, DENVER, CO 80202 MAIN PHONE: 303-894-2997; HOTLINE ESPANOL: 720-432-4294; TOLL-FREE: 800-262-4845; V/TTD RELAY: 711; FAX: 303-894-7830; EMAIL: DORA_CCRD@STATE.CO.US PUBLIC ACCOMMODATION DISCRIMINATION COMPLAINTS MUST BE FILED WITHIN SIXTY (60) DAYS AFTER THE ALLEGED DISCRIMINATORY ACT OCCURRED

Division Director, Aubrey Elenis, Esq.

communicable illness in the PHE;

to or risk of such an illness; or

is unavailable due to the PHE.

own writina.

supplemental leave before accrued leave.

ccrd.colorado.gov

WORKPLACE PUBLIC HEALTH RIGHTS POSTER

COLORADO Department of Labor and Employs



is sooner), and (B) give the employee at least seven days to cure the deficiency.

either hourly or six-minute increments.

another kind of adverse action

when taking paid leave.

Incremental use. Depending on employer policy, employees can use leave in

Employee Privacy. Employers cannot require employees to disclose "details

such information must be treated as a confidential medical record.

about an employee's (or their family's) HFWA-related health or safety information;

Records must be provided upon request. Employers must provide

documentation of the current amount of paid leave employees have (1) available

for use, and (2) already used during the current benefit year, including any

Retaliation or Interference with HFWA Rights

• An employee can't be required to find a "replacement worker" or job coverage

An employer cannot fire, threaten, or otherwise retaliate against, or interfere

with use of leave by, an employee who: (1) requests or takes HFWA leave; (2)

informs or assists another person in exercising HFWA rights; (3) files a HFWA

activity is *incorrect*, an employer need not agree or grant it, but cannot act

against the employee for it. Employees can face consequences for misusing leave

THE PUBLIC HEALTH EMERGENCY WHISTLEBLOWER LAW ("PHEW"):

 $\underline{Coverage: All\, Employers\, and\, Employees, Plus\, Certain\, Independent\, Contractors}$

• PHEW covers not just "employers" and "employees," but all "principals" (an

Worker Rights to Oppose Workplace Health/Safety Violations During Public

Health Emergencies*:

• It is unlawful to retaliate against, or interfere with, the following acts during, and

(1) raising reasonable concerns, including informally, to the principal, other workers,

or safety rules, or a significant workplace health or safety threat;

the government, or the public, about workplace violations of government health

opposing or testifying, assisting, or participating in an investigation or

proceeding about retaliation for, or interference with, the above-listed conduct.

A principal need not address a worker's PHEW-related concern, but it still cannot

fire or take other action against the worker for that reason, as long as the concern

Workers' Rights to Use Their Own Personal Protective Equipment ("PPE"):

· A worker must be allowed to voluntarily wear their own PPE (mask, faceguard,

COMPLAINT RIGHTS (under both HFWA & PHEW)

Report violations to the Division as complaints or anonymous tips, or file in court

state, or local), and (3) does not make the worker unable to do the job.

gloves, etc.) if the PPE (1) provides more protection than equipment provided

at the workplace, (2) is **recommended** by a government health agency (federal,

employer or a business with at least 5 independent contractors) and "workers"

Worker Rights to Express Workplace Health Concerns & Use Protective Equipm

(employees or independent contractors at a "principal").

related to, a public health emergency:

was reasonable and in good-faith.

after exhausting pre-lawsuit remedies.

complaint; or (4) cooperates/assists in investigation of a HFWA violation. · If an employee's reasonable, good-faith HFWA complaint, request, or other

THE HEALTHY FAMILIES & WORKPLACES ACT ("HFWA"): Paid Leave Rights If an employer reasonably deems an employee's documentation deficient, the employer must: (A) notify the employee within seven days of either receiving <u>Coverage: All Colorado employers, of any size, must provide paid leave</u> the documentation or the employee's return to work or separation (whichever

Employees earn 1 hour of paid leave per 30 hours worked ("accrued leave"), up to 48 hours a year. Up to 80 hours of supplemental leave applies in a public health emergency (PHE),

until 4 weeks after the PHE ends. * Regular hours and pay set the rate of accrual and compensation for leave, during

which benefits continue Up to 48 hours of unused accrued leave carries over for use the next year.

For details on specific situations (irregular hours, non-hourly pay, etc.), see Wage Protection Rule 3.5, 7 CCR 1103-7.

supplemental PHE leave. Information may be requested once per month or when Employees can use accrued leave for the following safety or health needs: the need for HFWA leave arises.) a mental or physical illness, injury, or health condition that prevents work, including diagnosis or preventive care;

) domestic abuse, sexual assault, or criminal harassment leading to health, · Paid leave cannot be counted as an "absence" that may result in firing or relocation, legal, or other services needs;

3) has a family member experiencing a condition described in category (1) or (2); or 4) in a PHE, a public official closed the workplace, or the school or place of care of the employee's child.

In a public health emergency (PHE), employees can use supplemental PHE <u>leave for the following needs *</u> (1) self-isolating or work exclusion due to exposure, symptoms, or diagnosis of the

2) seeking a diagnosis, treatment, or care (including preventive care) of such an illness;

3) being unable to work due to a health condition that may increase susceptibility

) caring for a child or other family in category (1)-(3), or whose school or child care

During a PHE, employees still earn up to 48 hours of accrued leave and may use

Employer Policies (Notice; Documentation; Incremental Use; Privacy;

and Paid Leave Records)

Written notice and posters. Employers must (1) provide notice to new employees

no later than other onboarding documents/policies; and (2) display updated

Notice for "foreseeable" leave. Employers may adopt "reasonable procedures" in

writing as to how employees should provide notice if they require "foreseeable"

An employer can require documentation to show that leave was for a

gualifying reason only if leave was taken for four or more consecutive work

Documentation is not required to take paid leave, but can be required as soon

as an employee can provide it after returning to work or separating from work

To document leave for an employee's (or an employee's family member's)

health-related need, an employee may provide: (1) a document from a health or

social services provider if services were received and document can be obtained

in reasonable time and without added expense; **otherwise (2)** the employee's

To document that an employee (or an employee's family member) required

leave for a need related to domestic abuse, sexual assault, or criminal

harassment, an employee may provide: a document or writing under (1) above

e.a. from a provider of legal or shelter services) or (2) above, or a legal document

days (*i.e.* days on which an employee would have worked, not calendar days).

(whichever is sooner). No documentation can be required for PHE leave.

posters, and provide updated notices to current employees, by end of year.

eave, but cannot deny paid leave for noncompliance with such a policy.

INJURY ON THE JOB

MARNING.

IF YOU ARE INJURED ON THE JOB, WRITTEN NOTICE OF YOUR INJURY MUST BE GIVEN TO YOUR EMPLOYER WITHIN FOUR WORKING DAYS **AFTER THE ACCIDENT, PURSUANT** TO SECTION 8-43-102(1) AND (1.5), COLORADO REVISED STATUTES.

IF THE INJURY RESULTS FROM YOUR **USE OF ALCOHOL OR CONTROLLED** SUBSTANCES, YOUR WORKERS' **COMPENSATION DISABILITY** BENEFITS MAY BE REDUCED BY **ONE-HALF IN ACCORDANCE WITH**

WITHHOLDING STATUS

TOU MAT NEED TO CHECK TOUR WITHHOLDING				
Since you last filed form W-4 with your employer did you	See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676.			
Marry or divorce?	Now is the time to check your withholding. For more			
Gain or lose a dependent?	details, get Publication 919, How Do I Adjust My Tax			
Change your name?	Withholding?, or use the Withholding Calculator at			
Were there major changes to	www.irs.gov/individuals on the IRS website.			
 Your nonwage income (interest, dividends, capital gains, etc.)? Your family wage income (you or your spouse started or ended a job)? Your itemized deductions? 	Employer : Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.			
Your tax credits?	Publication 213			
lf you can answer "YES"	(Rev. 8-2009)			
To any of these questions or you owed extra tax	Cat. No. 11047P			
when you filed your last return, you may need to file	Department of the Treasury			
a new form W-4.	Internal Revenue Service www.irs.gov			

UNEMPLOYMENT INSURANCE NOTICE TO WORKERS

YOU HAVE THE RIGHT TO BE:

 Properly classified as an employee or an independent contractor Paid accurately and timely for the services you perform

There are resources available to you if you believe you are being subject to improper classification or inaccurate payment practices by your employer. For more information, go to WorkRight.cdle.co. Employers are required to follow the law when paying hourly wages, overtime, and properly covering you for unemployment insurance and workers' compensation purposes. As a worker, you have certain rights as an employee vs. independent contractor.

nproper classification (often called misclassification) of employees as independent contractors and other labor law violations create many problems, both for law-abiding businesses and for workers in Colorado.

If you believe you have been improperly classified as an independent contractor and are really performing duties that fit the criteria of an employee, visit **colorado.gov/cdle/TipForm**, or call us at 303-318-9100 and select Option 4. To be classified as an employee, you must meet the criteria in Colorado Revised Statute 8-70-115. You can read the law online and find out more at **coloradoui**. gov/ProperClassification

As an *employee*, you are entitled to unemployment insurance benefits if you become unemployed through no fault of your own. Your employer contributes to unemployment insurance and cannot deduct this from your wages.

If you become unemployed and wish to file for unemployment insurance benefits, go to coloradoui.gov and click on File a Claim. If your hours of work and pay are reduced, you may be entitled to partial unemployment benefits.

If you cannot access a computer, call one of the following numbers: 303-318-9000 (Denver-metro area) or 1-800-388-5515 (outside Denver-metro area); hearing impaired 303-318-9016 (TDD Denvermetro area) or 1-800-894-7730 (TDD outside Denver-metro area).

EMPLOYERS ARE REQUIRED BY LAW TO POST THIS NOTICE

Colorado Employment Security Act, 8-74-101(2); Regulations Concerning Employment Security 7.3.1 through 7.3.5 Employers can download copies of this poster at coloradoui.gov/employer, then click on Forms / Publications.



AVISO A LOS TRABAJADORES

USTED TIENE EL DERECHO DE:

 Estar correctamente clasificado como un empleado o un contratista independiente Ser pagado correctamente y puntualmente por los servicios que realiza.

lay recursos disponibles para usted si cree que está sujeto a una clasificación incorrecta o prácticas de ago incorrectas por parte de su empleador. Para obtener más información, visite WorkRight.cdle.co. os empleadores están obligados a cumplir con la ley al pagar salarios por hora, horas extras, y que lo cubra adecuadamente para propósitos del seguro de desempleo y compensación de trabajadores Como trabajador usted tiene ciertos derechos, sea como *empleado o co* a clasificación incorrecta de los empleados como contratistas independientes y otras violaciones de la

está desempeñando labores que encajan con los criterios de un empleado, visite **colorado.gov/cdle**/ TipForm, o llámenos al 303-318-9100 y presione la Opción 4. Para ser clasificado como empleado, debe umplir con el criterio del Estatuto Revisado de Colorado (Colorado Revised Statute) 8-70-115. Puede leer la ley en línea (sólo en inglés) y obtener más información en coloradoui.gov/ProperClassification. Como empleado, usted tiene derecho a beneficios de seguro de desempleo al quedar sin empleo, y sin que haya sido su culpa. Su empleador contribuye al seguro de desempleo y no puede deducirlo de su salario

Si se queda sin empleo y desea solicitar beneficios de seguro de desempleo, vaya a coloradoui.gov y haga clic en File a Claim. Si sus horas de trabajo y sueldo han sido reducidas, usted puede tener derecho a beneficios parciales de desempleo. Si no puede acceder a una computadora, llame a uno de los siguientes números: 303-318-9333 (área

COLORADO

Department of Labor and Empl

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH AC1

This Poster summarizes two Colorado workplace public health laws. SB 20-205 (paid leave) & HB 20-1415 (whistleblowing & personal protective equipment). It does not cover other health or

afety laws, rules, and orders, including under the federal Occupational Safety and Health Act (OSHA), from the Colorado Department of Public Health and Environment (CDPHE), or from local public health agencies. Contact those agencies for such health and safety information.

This poster must be displayed where easily accessible to workers, shared with remote workers, provided in other languages as needed, and replaced with any annually updated versions. This Poster is a summary and cannot be relied on as complete labor law information. For all rules, fact sheets, translations, questions, or complaints, or for the status of the public health emergency (*a qualifying emergency remains in effect as of January 2022), contact: DIVISION OF LABOR STANDARDS & STATISTICS, ColoradoLaborLaw.gov, cdle_labor_standards@state.co.us, 303-318-8441 / 888-390-7936.



(e.q., a restraining order or police report).

Job Safety and Health IT'S THE LAW!

All workers have the right to:

A safe workplace.

Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.

Receive information and training on job hazards, including all hazardous substances in your workplace.

Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.

 Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.

• File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.

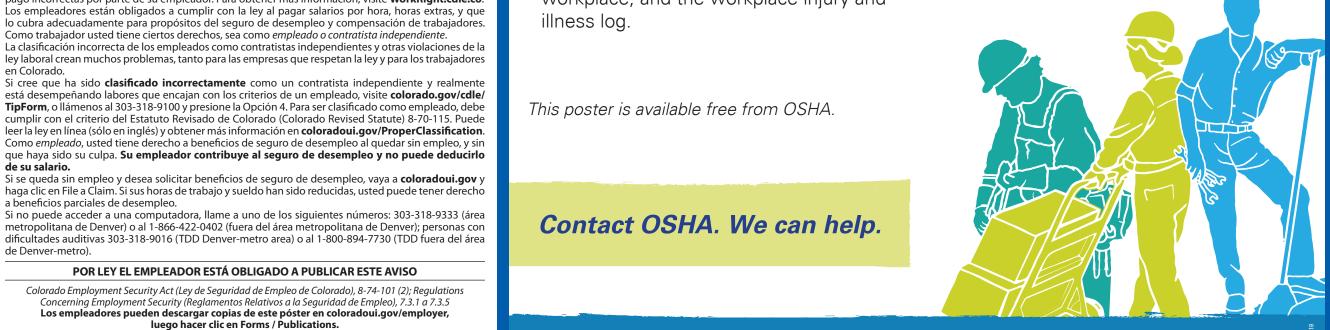
See any OSHA citations issued to your employer.

Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHAsupported consultation programs in every state.



🚦 🛛 IT STARTS WITH YOU









