

TECHNICAL UPDATE

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2024 COLORADO EMPLOYMENT UPDATE

The latest hiring rules from the state of Colorado require careful consideration of legal requirements, best practices, and the specific operational needs of each county. Below are three important legislative changes that affect employers and employees alike.

COLORADO CHANCE TO COMPETE ACT

The [Colorado Chance to Compete Act](#) prohibits employers from inquiring about criminal history, asking the applicant to disclose criminal history on the initial application, and makes it unlawful to post job opportunities stating persons with criminal history are not able to apply. The Act does not apply to a position being offered or advertised if federal, state, or local laws or regulations exist that prohibit employing a person with a specific criminal history to that position. The best practice for counties would be to list on the job posting the requirements for hire then include a supplemental question form to go with the application specific to the position.

EQUAL PAY FOR EQUAL WORK ACT (EPEWA)

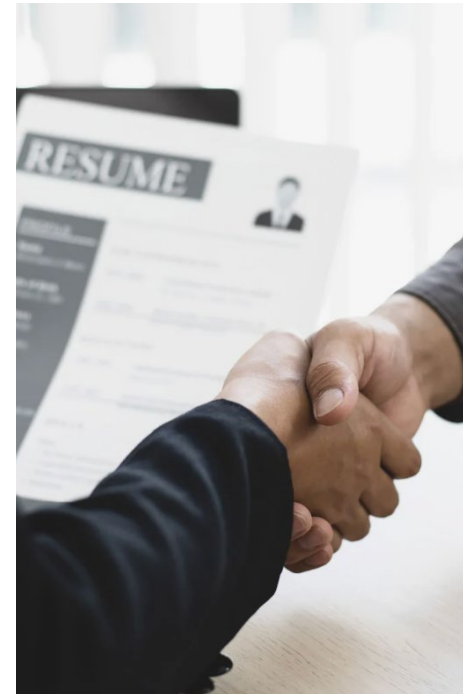
As of January 1, 2024, the [EPEWA](#) has added amendments that all employers must abide by. One significant amendment involves employers posting any "job opportunity" within the company to employees. This includes any current or anticipated vacancy that the employer is considering or interviewing candidates for, as well as vacancies externally posted. To ensure fairness and transparency, employers are obligated to make reasonable efforts to notify current employees of all promotional opportunities before making a final decision. Moreover, the EPEWA has specific notice requirements that must include the wage and/or salary range, an overall description of other compensation and benefits, as well as the closing date of the application window. Employers must also maintain accurate and up-to-date recordkeeping of relevant information related to the act.

JOB APPLICATION FAIRNESS ACT (JAFA)

Signed into law on June 2, 2023, the [JAFA](#) aims to protect job applicants from age discrimination during the hiring process. Under this act, employers are prohibited from seeking age-related information, such as date of birth and educational attendance details, on initial job applications. Exceptions are allowed for certain situations, such as verifying compliance with age requirements based on safety or federal, state, or local laws related to occupational qualifications. The CDLE is responsible for enforcing the JAFA and may issue warnings, compliance orders, and civil penalties for repeated violations. However, individuals cannot file private actions based on JAFA violations.

FORM I-9 UPDATED

The last step in the hiring process, prior to onboarding, is completion of Form I-9. Officially titled the Employment Eligibility Verification Form, this document is used by employers in the United States to verify the identity and employment authorization of individuals hired for employment. Make sure you are using the [updated form from August 2023](#).



WHAT THIS MEANS FOR COUNTIES

Reminder to check that all Labor Law posters are up to date for 2024. Posting this communication is not only a legal requirement in many jurisdictions, but it also serves to educate employees about their rights, fulfill employer obligations, and promote a positive workplace culture based on trust, fairness, and respect. In case of disputes related to employment rights, having labor law posters prominently displayed can demonstrate that the employer has made a good faith effort to inform employees of their rights. This can potentially help mitigate legal risks and avoid costly litigation. For questions, please contact CTSI at (303) 861-0507.