



31 July 2019

Michael Primo, Rule Coordinator
Office of Labor Market Information, Division of Labor Standards and Statistics
Colorado Department of Labor and Employment
633 - 17th Street, Suite 600, Denver, CO 80202

Dear Mr. Primo,

CLLARO is deeply concerned about the need to revise Colorado Minimum Wage Order 35 to protect more workers against sub-standard and abusive employment practices.

All categories of Colorado workers deserve to be paid at least the minimum wage. All Colorado workers--employers and employees alike--deserve reasonable rest- and meal-breaks. And all Colorado workers paid relatively low salaries or wages deserve proper compensation for working overtime.

Overtime rules should apply to anyone earning less than 2.5 times the minimum wage. Exclusion of any low-paid salaried workers--including managerial, professional, and administrative workers--from the protection of overtime rules is indefensible. The desire of some employers to maximize profits at employees' expense is not a legitimate reason for state government to neglect the well-being of its most vulnerable workers and their families.

CLLARO staff and volunteers who assist our state's lower-income residents hear about unethical and abusive employment practices daily. In today's Colorado labor market, workers excluded from minimum wage protections are usually Latinos or members of other underpaid minority groups. Minorities tend to be concentrated in segments of the labor market that pay less and offer fewer protections under Colorado labor laws.

Too many employers fail to treat minority workers decently. Too many employers demand extended working hours without overtime compensation. Too many employers deny lower-paid workers reasonable meal and rest breaks. Such practices give those employers unfair cost advantages against their competitors in Colorado agricultural, manufacturing, and retail markets.

Irresponsible employment practices have ripple effects throughout the communities CLLARO serves. Children see less of their parents and receive less help with their school work. Low-income workers in Latino communities have greater difficulty caring for elderly and disabled family members at home, thanks to caregivers' excessively exhausting hours at work.

Most Latinos in Colorado are U.S. citizens and speak English well. Nevertheless, their labor market mobility is constrained by racial and ethnic biases among some employers in Colorado labor markets. Perhaps more importantly, Latinos' labor mobility is constrained by the inadequacies of public schools attended by most Colorado Latinos before they enter the labor market.

Working conditions are worse for immigrant workers. Long hours in low-paying employment limit immigrants' opportunities to learn English, pursue education and training opportunities required for better-paid work, and prepare for U.S. citizenship.

Labor market disadvantages limiting opportunities for minorities in Colorado is a growing problem. The Colorado State Demography Office tells us in the year 2020, 24% of all Coloradans will be Latino. By 2050, 33% Coloradans will be Latino. The primary cause of that demographic shift is lower birth rates among non-Hispanic whites.

The people of Colorado will be better served if public policy does more to improve labor market mobility for all Coloradans. An important step in that direction is improvement of protections for low-wage workers afforded by Minimum Wage Order 35. CDLE must do more to reduce irresponsible employment practices in lower-paid segments of the labor market.

We urge CDLE to use their authority to extend coverage of the Colorado Minimum Wage order, and to increase the overtime salary threshold for all categories of employment.

Respectfully,

Michael Eduardo Cortés, MSW, MPP, PhD
Executive Director