

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 16-0576.01 Kristen Forrestal x4217

HOUSE BILL 16-1156

HOUSE SPONSORSHIP

Danielson and Salazar, Tyler, Becker K., Buckner, Esgar, Fields, Garnett, Ginal, Hulinghorst, Kagan, Lee, Lontine, Melton, Moreno, Pettersen, Primavera, Singer, Vigil, Williams, Winter

SENATE SPONSORSHIP

Donovan and Heath,

House Committees
Business Affairs and Labor

Senate Committees
State, Veterans, & Military Affairs

A BILL FOR AN ACT

101 **CONCERNING THE PROHIBITION OF AN ACTION AGAINST AN EMPLOYEE**
102 **FOR SHARING WAGE INFORMATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Current law states that it is a discriminatory and unfair labor practice for an employer to discharge, discipline, discriminate against, coerce, intimidate, threaten, or interfere with any employee or other person because the employee inquired about, disclosed, compared, or otherwise discussed the employee's wages, unless otherwise permitted by federal law. Federal law exempts certain classes of employers from

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
April 14, 2016

HOUSE
3rd Reading Unamended
March 29, 2016

HOUSE
2nd Reading Unamended
March 28, 2016

discrimination laws. The bill strikes the reference to that exemption and extends the current law to those classes of employers, thereby providing discrimination protections to all employees.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-402, **amend**
3 (1) (i) as follows:

4 **24-34-402. Discriminatory or unfair employment practices.**

5 (1) It shall be a discriminatory or unfair employment practice:

6 (i) Unless otherwise permitted by federal law, for an employer to
7 discharge, discipline, discriminate against, coerce, intimidate, threaten,
8 or interfere with any employee or other person because the employee
9 inquired about, disclosed, compared, or otherwise discussed the
10 employee's wages; to require as a condition of employment nondisclosure
11 by an employee of his or her wages; or to require an employee to sign a
12 waiver or other document that purports to deny an employee the right to
13 disclose his or her wage information. ~~This paragraph (i) shall not apply~~
14 ~~to employers who are exempt from the provisions of the "National Labor~~
15 ~~Relations Act", 29 U.S.C. sec. 151 et seq.~~

16 **SECTION 2. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly (August
19 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
20 referendum petition is filed pursuant to section 1 (3) of article V of the
21 state constitution against this act or an item, section, or part of this act
22 within such period, then the act, item, section, or part will not take effect
23 unless approved by the people at the general election to be held in

- 1 November 2016 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.