

Colorado Ag Workers' Rights Rule Making:

An Overview of Key Issues and Resources in the 2021 Policy Process

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SB21-087 extends minimum wage and overtime laws to all agricultural employees, with implications for employees and employers

What are the overtime and minimum wage provisions in SB21-087?

- **Overtime:** *overtime pay for agricultural employees for hours worked in excess of 40 hours per week or 12 hours in one day.*
- **Minimum Wage:** *all agricultural employees subject to state and federal minimum wage laws.*

Who will be impacted?

- **Overtime:** *agricultural operations (and their employees) with employees working in excess of 40 hours per week (or 12/day) who are not currently paying (or being paid) overtime wages.*
 - Large operations are more likely to have employees working these hours.
 - Among all operations with employees working overtime, employees at smaller operations tend to work more hours.
- **Minimum Wage:** *agricultural operations (and their employees) currently paying below the minimum wage rate.*
 - Concentrated among small operations



Overtime Implications for Both Small and Large Operations

	All operations, (N = 3,332)	\$1,000 to \$349,999, (N = 1,195)	\$350,000 to \$1M, (N = 972)	over \$1M, (N = 1,165)
Hours per worker (April-June)	50	51	46	50
Hours per worker (July-Sept)	75	81	63	60
Hours per worker (April-Sept)	67	66	56	60
Percent of operations with overtime	8%	5%	16%	39%

Minimum Wage Implications Primarily for Small Operations

	All operations, (N = 213)	\$1,000 to \$349,999, (N = 135)	\$350,000 to \$1M, (N = 48)	over \$1M, (N = 29)
Median hourly wage	13-15	13-15	13-15	13-15
Percent paying <\$12 per hour	14.5%	18.5%	10.4%	3.5%





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