

# COLORADO

## New Law Expands and Clarifies Pay Transparency Requirements

On June 5, 2023, Colorado enacted a new law, [Senate Bill \(SB\) 105](#), that expands pay transparency and related requirements under the Colorado Wage Equality Law. The new law is effective **Jan. 1, 2024**.

### Job Opportunity Notice

Under existing law, employers must make reasonable efforts to announce, post or otherwise make all opportunities for promotion known to current employees before making a promotion decision. SB 105 changes this so that every job opportunity, not just those for promotions, must be made known to current employees. For this purpose, a job opportunity includes any current or anticipated vacancy for which the employer externally posts or is considering or interviewing candidates.

SB 105 also adds content requirements for the notice. Specifically, a job opportunity notice must include the hourly wage or salary (or a range thereof), a general description of the benefits and other compensation, and the anticipated closing date for applications for the position. Separate rules apply for positions involving time-based or other automatic career progression.

A partial exception is available for employers that are physically located outside of Colorado and have fewer than 15 employees working in Colorado if all of those employees work remotely. Through July 1, 2029, these employers are only required to provide notice of any remote job opportunities.

### Selected Candidate Notice

SB 105 also requires employers to provide current employees with information about the candidate selected for each job opportunity. This must be given within 30 calendar days after the candidate starts working. Required content includes the selected candidate's name, former job title (if hired from within) and new job title, plus information about how employees may demonstrate interest in similar job opportunities in the future.

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Provided to you by **Employco USA, Inc.**

### Important Dates

#### June 5, 2023

Colorado enacted SB 105, which requires employers to provide current employees with information about all job opportunities and the candidates selected for them.

#### Jan. 1, 2024

SB 105 is effective on this date. The Colorado Department of Labor and Employment is expected to issue rules to enforce the law prior to this.

#### July 1, 2029

Until this date, certain out-of-state employers do not have to provide the new job opportunity notice for nonremote, out-of-state job opportunities.

***Employers must give notice about a selected candidate within 30 days after the candidate starts.***