

Colorado Civil Rights Division

- The Colorado Civil Rights Division (“CCRD”) enforces the Colorado Anti-Discrimination Act (“CADA”), which prohibits discrimination in employment, housing, and places of public accommodation.
- All employers in Colorado (regardless of number of employees) are prohibited from discriminating against employees and applicants based on protected class, which includes age.
- “Age means chronological age of at least 40 years” C.R.S. 24-34-301 (1)



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CCRD is an EEOC (Title VII, ADA, ADEA) designated Fair Employment Practice Agency (FEPA), which means, when appropriate cases are “dual-filed” with both agencies.

Age Discrimination in Employment Act (ADEA) - applies to employers with 20+ employees.

Gov. Guidance -

JARED POLIS
GOVERNOR



136 STATE CAPITOL
DENVER, COLORADO 80203
TEL 303-866-2471
FAX 303-866-2003

GUIDANCE TO EMPLOYERS AND PLACES OF PUBLIC ACCOMMODATION REGARDING EQUAL OPPORTUNITY EMPLOYMENT AND REASONABLE ACCOMMODATIONS DUE TO THE PRESENCE OF COVID-19

My administration, along with other State, local, and federal authorities, has undertaken a wide array of actions to mitigate the effects of coronavirus disease 2019 (COVID-19), prevent further spread, and preserve our healthcare resources. During this pandemic, it is vital that all Coloradans are afforded civil rights protections. I am providing the following guidance to employers and places of public accommodation to ensure equal opportunity employment and to



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Gov. Guidance -

Employers may not postpone or withdraw a job offer because the individual is at higher risk of contracting COVID-19, such as being 65 years old or pregnant. Being a vulnerable individual does not justify unilaterally postponing the start date or withdrawing a job offer. However, an employer should consider allowing telework or to discuss with these individuals if they would like to postpone the start date.



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Gov. Guidance -

Employers should make reasonable accommodations to offer protection to an individual whose disability puts that individual at a greater risk of contracting COVID-19 and who therefore requests accommodations actions to eliminate possible exposure. Even with the constraints imposed by the COVID-19 pandemic, some accommodations may meet an employee's needs on a temporary basis without causing undue hardship on the employer and such accommodation should be made.



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CCRD Guidance



Safer at Home and in the Vast, Great Outdoors

Civil Rights Guidance for Employers and Places of Public Accommodation Safer at Home and in the Vast, Great Outdoors

Background:

Effective June 1, 2020, Governor Jared Polis issued [Executive Order D 2020 091](#) directing Colorado to enter the new phase of the pandemic, Safer at Home and in the Vast, Great Outdoors. The goal remains for people to stay at home or in the vast outdoors as much as possible, and avoid any unnecessary social interactions. The Colorado Department of Public Health and Environment (CDPHE) Governor's directive, has issued [Eighth Amended Public Health Order 20-28](#), which provides details of certain restrictions across a broad industry type. CDPHE is making the information contained in the Public Health Order available via the [Safer at Home](#)

Coinciding with the Safer at Home and in the Vast, Great Outdoors Executive Order are [Executive Order D 2020 039](#) and [Order 20-26](#), ordering workers in critical businesses and critical government functions to wear non-medical face coverings

CCRD Guidance

Employers MAY NOT enact policies, implement procedures, or otherwise take actions that disfavor older employees, such as requiring them to work from home while other employees return to work, work in a different area of your location, take lunch or breaks separately, undergo testing, or take other precautionary measures *not required of all employees*.

Employers MAY *favor* older employees based upon their age under the ADEA. For example, a policy providing older workers the opportunity to work remotely, if they wish, would not violate the ADEA. Similarly, you may elect to grant older workers' requests to work remotely even if you deny similar requests from younger employees.



Complaints Must be filed within six months of alleged discrimination



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CaseConnect Civil Rights

Welcome to the Department of Regulatory Agencies (DORA) Colorado Civil Rights Division (CCRD) CaseConnect. You may use this website to file an intake packet, which is needed to start a civil rights complaint in the categories of employment, housing and public accommodations. If you have any questions on the intake process or using the Case Connect website, please contact us at dora_ccrd@state.co.us.

[Start a New Complaint](#)



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After filing a complaint...

- Possible mediation and settlement
- Investigation
- Determination
 - Appeal OR
 - Conciliation
- Possible Remedies
 - Compensatory damages
 - Non-monetary
 - Attorney fees
- Affirmative requirements - policy changes, training, reporting to CCRC

