

# Wage Theft

Community Protection Division  
Boulder County District Attorney's Office  
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## What is Wage Theft

In the state of Colorado, a person's labor is a thing of value that can be subject to theft and imposes the same penalties as CRS 18-4-401. In 2013 it was estimated that nearly 500,000 Colorado workers are affected by some form of wage theft at a cost of \$750 million a year in lost wages and benefits. This results in lost tax revenue for schools, roads, and other important community priorities.

### Penalties:

Amount Involved	Penalty
Involving \$2,000 or more in stolen wages	Felony
\$50-\$1,999	Misdemeanor

## What can wage theft look like?

Wage theft can look like many things, including...

- Nonpayment of wages
- Nonpayment of paid leave
- Underpayment of wages
- Misclassification of employees
  - i.e., labeling an employee as an "independent contractor" to avoid minimum wage and overtime requirements
- Making illegal deductions to an employee's paychecks
  - i.e., charging workers for the use of tools, materials, or transportation that is necessary to do the job

## Questions or Concerns?

Community Protection Division  
303-441-3700

## Extortion & Wage Theft

On May 20, 2021, Governor Polis signed into law a bill that amends Colorado's laws on criminal extortion, C.R.S. 18-3-207.

- The bill prohibits the extortion of immigrants for engaging in lawful acts, such as reporting criminal activity to law enforcement.
- This bill brings the use of threats of immigration consequences by offenders in line with the broader extortion statute and includes inducing a person to either commit or refrain from committing a lawful act.
- This bill will, for example, cover circumstances such as wage theft and a domestic violence victim being threatened by an abuser to not call the police for fear of the abuser reporting to immigration officials.

## How to Report Wage Theft

- Collect documentation that demonstrates an allegation of wage theft
- If extortion occurred, make sure to provide details
- File an administrative wage theft claim with the Colorado Department of Labor and Employment Labor Standards and Statistics
  - <https://cdle.colorado.gov/complaint>
- If possible, report to your labor union or labor association
- File a report with your local law enforcement
- File a complaint at your local District Attorney's office



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