City and County of Denver
201 West Colfax Avenue, #705 • Denver, Colorado 80202
(720) 913-WAGE (9243) • Denvergov.org/DenverLabor

DENVER CITYWIDE MINIMUM WAGE OVERVIEW

WHAT IS THE BASIS FOR MINIMUM WAGE?

In 2019, the Colorado legislature enacted a new statute permitting local governments to set a jurisdiction-wide minimum wage. In November 2019, the Denver City Council created Denver Revised Municipal Code Chapter §58-16, which sets the local minimum wage for Denver and prescribes the means for setting, enforcing, and complying with the new local minimum wage.

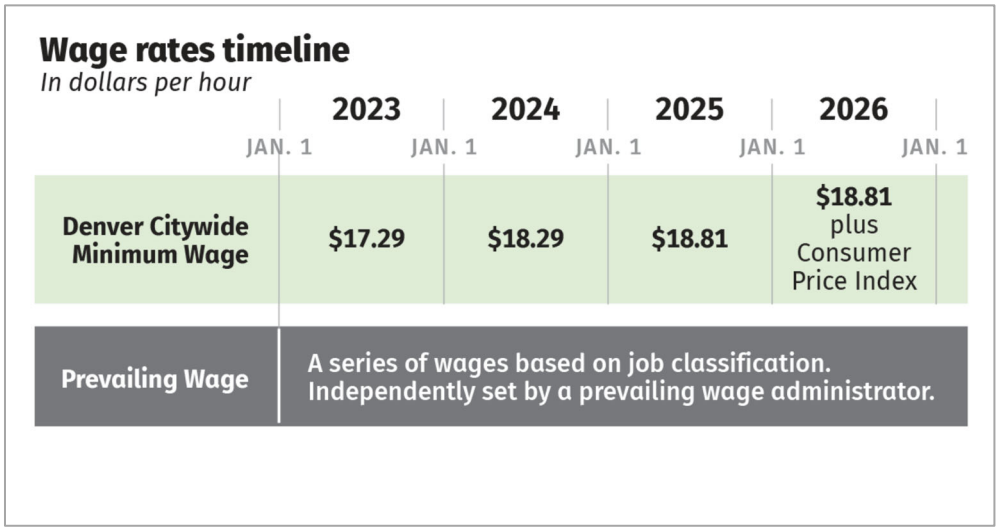
WHEN DOES MINIMUM WAGE APPLY?

The minimum wage applies to all workers performing work after January 1, 2020 within the geographical boundaries of the City and County of Denver.

WHAT IS DENVER'S LOCAL MINIMUM WAGE?

Denver's local minimum wage is:

- $17.29 from January 1, 2023 - December 31, 2023;
- $18.29 from January 1, 2024 – December 31, 2024;
- $18.81 from January 1, 2025 – December 31, 2025, and
- Thereafter increase by the prior year's increase in regional consumer price index.



This chart shows a timeline with wage rates in dollars per hour. Denver Citywide Minimum Wage changed to $17.29 on January 1, 2023, and to $18.29 in 2024. The wage rate will increase to $18.81 on January 1, 2025, and to $18.81, plus the Consumer Price Index on January 1, 2026. Prevailing Wage is determined by the Denver Auditor's Office and consists of a series of wages based on the job classification.

WHEN MAY EMPLOYERS PAY AN EMPLOYEE LESS THAN THE MINIMUM WAGE?

An employer in the food and beverage industry can reduce its minimum wage obligation for actual tips received by its employees up to $3.02 an hour ("tip credit"). During an investigation, an employer may be asked to produce evidence their employees received tips equal to the tip credit taken by the employer.

Employers of unemancipated minors performing work pursuant to a city certified youth employment program may pay those minors 15% less than the required minimum wage.

ARE THERE ANY EXCLUSIONS?

Denver's local minimum wage does not apply to: 1) work performed outside of Denver; 2) where an employee works less than 4 hours within Denver in a week; or 3) where the employee is only traveling through Denver while working.

WHAT MINIMUM WAGE RATE APPLIES?

The applicable minimum wage is the greater of the applicable prevailing wage, the citywide minimum wage or other state or federal wage for the work performed.

HOW DO EMPLOYERS COMPLY WITH DENVER'S LOCAL MINIMUM WAGE REQUIREMENTS?

Employers must pay their employees the appropriate wage and maintain payroll records for three years. There is no additional reporting requirement.

WHO MAY MAKE A COMPLAINT?

Complaints may be submitted by any person or entity. Complaints may be submitted anonymously.

HOW ARE MINIMUM WAGE COMPLAINTS MADE?

Individuals who wish to make a complaint related to Denver's minimum wage may e-mail the Denver Auditor's Office at wagecomplaints@denvergov.org or call 720-913-WAGE (9243).

HOW ARE MINIMUM WAGE COMPLAINTS INVESTIGATED AND RESOLVED?

The Denver Auditor's Office will investigate all valid complaints submitted. Complaints may be resolved by referral to another agency or mode of remedy. Where the Auditor's Office finds and investigates a credible compliant, the Auditor's Office will inform the employer of its investigation and request documentation from the employer demonstrating compliance with minimum wage requirements. When the investigation is complete, an assigned investigator will seek restitution for any underpaid employee and possibly levy fines or inform the complainant and employer no evidence of underpayment was found. Employers must provide the Auditor's Office evidence of any restitution payment made. Employers may not take adverse action against an employee for their involvement in an investigation. Such retaliatory conduct is unlawful and subject to a $5,000 fine.

ARE THERE PENALTIES FOR FAILING TO COMPLY WITH DENVER'S MINIMUM WAGE REQUIREMENTS?

For each violation of Denver's Minimum Wage Ordinance, the Auditor's Office must impose interest at a rate of 12% per year from the date unpaid wages were first due. The Auditor may also impose damages equal to 300% of unpaid wages, and penalties of up to $25,000 per violation.

This document is meant for educational and informational purposes. Nothing in this document alters any party's rights, duties, or obligations to comply with any law. All parties are encouraged to thoroughly review the law ensure lawful compliance.