THIS FORM MUST BE SENT TO THE EMPLOYER, NOT TO THE COLORADO DIVISION OF LABOR.

THIS FORM DOES NOT INITIATE A WAGE COMPLAINT WITH THE COLORADO DIVISION OF LABOR.

Demand for Payment of Wage: Instructions and Information

This Demand for Payment of Wages form is filled out by the employee and then sent to the current or former employer who owes the wages for work performed in Colorado.

Please note:

- You are not required to send a written demand for payment of wages to the current or former employer.
- Sending a written demand to your current or former employer may assist you in recovering your wages.
- Sending a written demand may also increase the chance of obtaining monetary penalties from your employer if you subsequently pursue the matter in Court or with the Division of Labor.

Pursuant to C.R.S. § 8-4-109(3)(a), "[i]f an employer refuses to pay wages or compensation . . . the employee, his or her designated agent, or the division may send a written demand for the payment." If an employer fails to pay the wages or compensation due to the employee within **fourteen days** after the written demand is sent, "the employer shall be liable to the employee for the wages or compensation, and a penalty." C.R.S. § 8-4-109(3)(b).

1. Please follow these guidelines when using this form:
   - Fill out the form completely, including the date and your signature.
   - Make a photocopy of the form for your records.
   - **SEND THE ORIGINAL FORM TO THE EMPLOYER WHO OWES YOU WAGES.**
   - Send the form to the employer's correct address.
   - You may wish to send the form via certified mail so there is a record of mailing and receipt.
   - Keep any other records that may prove when, and to whom, you sent this form.
   - **Do NOT send this form to the Division of Labor.** This form does not initiate a wage complaint with the Division.

2. If you would like the Division of Labor to assist you in recovering your wages:
   - You MUST fill out a separate Wage Complaint Form. See the Wage Complaint Instructions and Frequently Asked Questions for more information.
   - If you do not send this Demand for Payment of Wages form to your employer, the Division's Notice of Complaint constitutes a written demand for legal purposes. C.R.S. § 8-4-111(5).

3. If the employer does not pay your wages within 14 days after the demand for payment, the Division may order the employer to pay you the greater of the following penalties:
   - 125% of the wages due,

     OR
   - Your average daily earnings for each day (up to ten days) until payment is made. C.R.S. § 8-4-109(3)(b).

   Penalties may increase by 50% if the withholding of wages if found to be willful.

   In addition to the possible penalties, the Division may also order the employer to pay a fine (payable to the State of Colorado) of up to $50 per day for every day the employer fails to pay your wages.

4. If you would prefer to go to Court to pursue your wages:
   - You may pursue the matter in Court without contacting the Division of Labor. The Division wage complaint process is not required and is not a prerequisite for independent legal action.
   - If you have already pursued the wage complaint in Court, you may not subsequently use the Division process to address the same wage complaint that you pursued in Court.

Please note: This form is provided by the Colorado Division of Labor for informational purposes only. The Division cannot provide legal advice related to the validity of any specific claims. If you need legal advice regarding your specific circumstances, please consult an attorney.

THIS FORM IS PROVIDED BY THE COLORADO DIVISION OF LABOR AS AN ADMINISTRATIVE COURTESY. THE DIVISION HAS MADE NO DETERMINATION AS TO THE VALIDITY OF THE DEMAND.

DEMAND FOR PAYMENT OF WAGES

TO:	FROM:
_____ (EMPLOYER/BUSINESS/COMPANY NAME)	_____ (EMPLOYEE NAME)
_____ (OWNER/OFFICER/MANAGER)	_____ (JOB TITLE)
_____ (STREET ADDRESS)	_____ (STREET ADDRESS)
_____ (CITY, STATE, ZIP)	_____ (CITY, STATE, ZIP)

Dear Employer,

You owe me outstanding wages or compensation. According to Colorado law:

- All wages and compensation shall be due and payable on regular paydays no later than ten days following the close of each pay period unless the employer and the employee mutually agree on an alternative period. C.R.S. § 8-4-103(1)(a).
- If termination of employment by the employer occurs, wages and compensation are due and payable IMMEDIATELY unless one of the following exceptions is met:
  1. If the employer's accounting unit, responsible for payroll checks is not regularly scheduled to be operational, wages are due and payable no later than six hours after the start of the employer's accounting unit's next regular workday, or
  2. If the employer's accounting unit is located off the work site, the employer shall deliver the check for wages due no later than twenty-four hours after the start of the accounting unit's next regular workday. C.R.S. § 8-4-109(1)(a).
- If the employee quits or resigns, wages and compensation are due and payable upon the next regular payday. C.R.S. § 8-4-109(1)(b).

I hereby make a formal demand of payment of wages and compensation due me in accordance with Title 8, Article 4 of Colorado Revised Statutes, as amended. Refusal to pay within 14 days of the sending of this demand may subject you to a penalty of 125% of the amount owed, or up to 10 days of my average daily earnings, whichever is greater, pursuant to C.R.S. § 8-4-109. In addition, fines of up to 50 dollars per day commencing from the date that such wages first became due and payable may be assessed, pursuant to C.R.S. § 8-4-113.

I AM OWED APPROXIMATELY $_____IN WAGES AND COMPENSATION.

_____ (Employee Signature)

_____ (Date Sent)