

# OURERC A LOCAL BUSINESS NEWSLETTER

Powered by Employer's Resources of Colorado

## IN THIS ISSUE

- Important Dates
- Vacation Pay Out
- ERC Colorado Services
- ERC Roundtable Forum "Dealing with Difficult Employees"
- Colorado's Challenges of Economic Recovery



**ERC WILL BE CLOSED:  
JULY 5—INDEPENDENCE DAY**



## VACATION PAY OUT

Employers must now pay out unused vacation upon separation of employment. June 14, 2021, the Colorado Supreme Court held in the case of *Nieto v. Clark's Market, Inc.*, that although the Colorado Wage Claim Act does not require employers to provide employees with vacation pay, if employers choose to provide vacation pay, all accrued but unused vacation pay must be paid to employees upon termination of employment.

Specifically, the Court held that, "*all earned and determinable vacation pay must be paid upon separation and that any agreement purporting to forfeit earned vacation is void.*"

This new rule is effective immediately and applies even if the employer's vacation policy states all unused vacation will not be paid out at the time of separation from employment. [Information source.](#)

According to the Colorado Department of Labor, vacation policies may be established in writing or by a custom and practice. While Colorado wage law does not require that paid vacation time be awarded nor does it require that an employer establish a vacation policy, employees must be made aware of the employer's policy. Employers and employees must follow established policy unless and until that policy is changed. The Division also recommends that employers develop their vacation policy in consultation with legal counsel. The department of labor provides additional [information here](#) about the vacation policies.

## ERC Colorado Services

Employer's Resources of Colorado was established to provide local companies prompt personnel service and commitment to the highest quality of employer services in the industry. ERC is committed to employing the most qualified personnel to address your Human Resource, Payroll, Benefit Administration and Risk Management needs. Here are a few ways ERC can improve your workforce:

### Customized Benefit Administration:

During Initial Enrollment and at Open Enrollment, an ERC Benefits Department team member will schedule a meeting with all employees to ensure everyone is properly presented with benefits.

### Customized Employee Handbooks

The Human Resources team is dedicated to improving your business culture.

Employees with proper understanding of the rules and regulations are more likely to complete tasks per company culture.

### Customized Consulting Services:

ERC is here to help with recruiting, strategic planning and project management if necessary. The team at ERC is experienced in the small business field and is focused on the growth of your company.

### Safety and Risk Management:

The ERC team will create customized safety manuals, policies, and procedures for your specific company.

With ERC, safety is always first!

## ERC PRESENTS: "DEALING WITH DIFFICULT EMPLOYEES"

A LIVE ROUNDTABLE FORUM

### Special Guests:

Jill Ostrove

SML and D&O Practice Manager  
ePlace Solutions

&

Bernice Wheelock

HR Professional  
ePlace Solutions



Thursday, July 29  
Start at 1 pm

[WWW.ERCCOLORADO.COM](http://WWW.ERCCOLORADO.COM)

Register now via e-mail

Marc Lassiter [mlassiter@erccolorado.com](mailto:mlassiter@erccolorado.com)



Dealing with different personalities presents its own set of problems. In every group, there seems to be at least one person who saps morale, slows productivity and stirs up anger in other team members because of his or her bad attitude, refusal to play by the rules or just plain disturbing behavior. Let's discuss ways to improve and limit these situations. [source](#)

To give you some practical tips on what to do, we've invited special guests to share their stories about difficult employees and what they learned from dealing with problem people over the years.

Join this informative 1 ½ hour session which will include a special presentation on Dealing with Difficult Employees! Following the presentation, we'll open it up for a LIVE roundtable discussion and Q&A with our special guests answering all of your questions. If interested in attending this session, please e-mail our ERC HR Manager, Marc Lassiter at [mlassiter@erccolorado.com](mailto:mlassiter@erccolorado.com)

## Colorado's Challenges of Economic Recovery

Prior to 2020 and the global economic and cultural upheaval caused by the COVID-19 pandemic, Colorado stood out for having strong economic growth and offering a desirable lifestyle. Coloradans had created the #1 state economy and enjoyed competitive advantages in attracting business growth and an educated workforce. In fact, in late 2019, US News World Report ranked Colorado's business climate as one of the best in the nation.

**However, after two periods of negative economic shocks in 2020, in both late spring and through the holidays, the state of business in Colorado remains under duress.**

- There were 150,000 fewer jobs in Colorado in December 2020 relative to the start of the years, representing a 5.4% cut. While the statewide reduction is significant, it masks the disproportionate impacts across industries, as the leisure and hospitality industry was down 90,900 jobs by end of 2020, whereas professional and business services was up 7,100 jobs. [source](#)
- State taxable sales were down \$8.9B, or -1.35%, in 2020 relative to 2019. [source](#). Small business suffered, especially. As of February 10<sup>th</sup>, small business revenue was down 29.5% from January 2020 levels.

Colorado's unemployment rate increase is the second highest in the nation, going from 2.5% to 8.5%. The Colorado state unemployment ranking going from one of the best (4th) to almost last (48th). [Source](#). However, we remain optimistic that these statistics are poised to reverse. And as our local economy begins to recover and we resume "normal" business operations, ERC is here to support your labor needs, providing guidance on return-to-office worksite compliance, hiring challenges and evolving to regulatory requirements.



@ERCcolorado



@ERCcolorado



@ERC Colorado



@ERC Colorado