

To: Our Clients and Friends

May 7, 2013

Colorado Expands Remedies for Employment Discrimination

On May 6, Colorado Governor John Hickenlooper signed House Bill 13-1136, which expands the remedies for violations of the Colorado Anti-Discrimination Act ("CADA"). The "Job Protection and Civil Rights Enforcement Act of 2013" will allow complainants under state law to recover remedies comparable to those available under federal law. In addition to back pay and attorney fees, which were already available, complainants under CADA will also be able to recover front pay, compensatory damages for emotional distress, and punitive damages, and will be entitled to a jury trial.

Unlike federal law, CADA applies to employers with as few as one employee, although compensatory and punitive damages will be capped at \$10,000 for employers with one to four employees and at \$25,000 for employers with five to fourteen employees. CADA also prohibits sexual orientation discrimination, which federal law does not. However, the new remedies will apply only to intentional discrimination and not to claims of "disparate impact."

The amendments to CADA will take effect on August 7, 2013, but will apply only to causes of action arising on or after January 1, 2015.

Click [here](#) for a copy of the final bill.

Please call any of your regular contacts at Bryan Cave or either of the partners listed below if you have any questions.

L. Anthony George
(303) 866-0287

anthony.george@bryancave.com

Donald L. Samuels
(303) 866-0548

donald.samuels@bryancave.com