



February 26, 2026

Members of the House Business Affairs and Labor Committee  
Colorado General Assembly  
State Capitol  
Denver, Colorado

Dear Chair and Members of the Committee:

On behalf of Associated Builders and Contractors - Rocky Mountain Chapter (ABC) and the hundreds of merit shop construction employers we represent across Colorado, I write to express our opposition to House Bill 26-1054, *Protections for Worker Safety*.

Let me begin by stating clearly: safety is a core value of ABC members. Our contractors build hospitals, schools, highways, and critical infrastructure across this state. They operate under comprehensive federal OSHA standards and invest heavily in training, supervision, and jobsite safety culture. Safe jobsites are not only a legal obligation — they are a moral and business imperative.

However, HB26-1054 would unnecessarily expand state workplace safety enforcement authority beyond existing federal OSHA standards and create a parallel regulatory structure that raises serious concerns for the construction industry.

**First, the bill creates duplicative and potentially conflicting enforcement layers.**

Construction employers already operate under comprehensive federal OSHA standards that provide uniform safety requirements nationwide. HB26-1054 authorizes Colorado to promulgate additional or replacement standards when federal policy changes, creating the risk of parallel and potentially diverging rule sets. In a dynamic jobsite environment, clarity and consistency are critical to effective compliance and hazard mitigation. Layering a separate state enforcement regime on top of federal requirements risks confusion and regulatory instability rather than measurable improvements in worker safety.

**Second, the bill shifts the model from cooperative enforcement to litigation-driven enforcement.**

By opening the door to civil actions — including injunctions and stop-work orders — the proposal increases litigation exposure in an industry where project timelines, subcontractor coordination,



and safety compliance are already tightly regulated. Stop-work authority through private litigation could significantly disrupt projects and increase costs for owners, taxpayers, and consumers without clear evidence that such a model improves worker safety.

**Third, increased regulatory exposure will raise construction costs statewide.**

Expanded enforcement authority, potential overlapping standards, and increased litigation risk will require contractors — particularly small and mid-sized firms — to divert resources toward compliance defense and legal review rather than safety training, workforce development, and project delivery. At a time when Colorado faces housing shortages and infrastructure demands, policies that increase project costs deserve careful scrutiny.

ABC believes workplace safety policy should remain practical, consistent, and focused on real-world jobsite conditions. Federal OSHA already provides a comprehensive framework. Before creating an additional enforcement regime, we urge the Committee to carefully consider whether this approach will measurably improve safety outcomes or instead introduce regulatory duplication and unintended consequences.

We stand ready to work with the sponsors and the Committee on approaches that strengthen safety through training, compliance assistance, and targeted enforcement — tools that have historically produced meaningful results in the construction industry.

Thank you for your consideration of our concerns. Please feel free to contact me if you have any questions at 303-596-8283.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jack Tate'.

Jack Tate  
President and CEO  
Associated Builders and Contractors - Rocky Mountain

## **Submitted Written Testimony – HB26-1054**

Thank you, Chair and members of the Committee.

On behalf of the Colorado Oil and Gas Association, API Colorado, and the companies that safely produce, transport, and deliver the energy Colorado families and businesses rely on every day, we respectfully submit this testimony in strong opposition to HB26-1054.

Worker safety is non-negotiable and remains a core priority across our industry. Unfortunately, HB26-1054 does not meaningfully improve safety outcomes or strengthen enforcement capacity. Instead, it creates a vague, litigation-driven framework that risks penalizing employers over subjective disputes while inviting misuse of “safety” claims in ways that do not make worksites safer.

In oil and gas operations, compliance is not theoretical. Our worksites are dynamic, frequently outdoors, often remote, and commonly involve multiple employers at a single location, including operators, drilling contractors, completions crews, and specialized service companies. A broad and shifting legal standard creates uncertainty about roles, responsibilities, and liability exposure, despite substantial industry investment in training, protective equipment, hazard mitigation, and rigorous safety systems.

Second, the bill establishes an enforcement pathway that extends well beyond agency oversight. HB26-1054 authorizes the Attorney General, state agencies, labor organizations, or any “aggrieved person” to bring civil actions and seek sweeping remedies, including injunctions and stop-work orders.

In our industry, a stop-work order is not a minor procedural tool. It can shut down an entire location, disrupt carefully coordinated multi-contractor activities, and introduce safety risks associated with abrupt shutdown and restart procedures, all while allegations are being litigated.

Further, if a stop-work order is imposed, employers must either reassign workers or continue paying wages for at least the first ten regular working days. This structure creates a powerful incentive to file first and resolve later, regardless of whether the underlying claim is ultimately substantiated.

Finally, HB26-1054 multiplies liability exposure in ways that will disproportionately impact contractors and smaller field service companies that are essential to safe and efficient operations. The bill authorizes statutory damages and penalties up to \$1,000 per violation, up to \$10,000 for repeated violations, and up to \$70,000 per violation for willful violations, in addition to attorney fees and costs, while treating each day, and potentially each worker, as separate offenses.

This is not a targeted safety measure but will likely instead encourage lawsuits and settlement pressure rather than practical prevention and collaborative safety improvement.

Colorado can protect workers without creating a duplicative, court-centered enforcement regime that is subject to misuse and more difficult to administer, particularly in complex, multi-employer environments like oil and gas.

For these reasons, we respectfully urge the Committee to vote no on HB26-1054.

Thank you for your consideration.

# Economic Policy Institute

Colorado General Assembly  
House Committee on Business Affairs and Labor  
February 26, 2026

Good afternoon, Chair Ricks, Vice Chair Camacho, and members of the committee,

My name is Nina Mast, and I'm a policy and economic analyst at the Economic Policy Institute (EPI). EPI is a nonprofit, nonpartisan think tank founded in 1986 to research the economic status of working America and propose public policies that protect and improve conditions for low- and middle-wage workers.

I'm here today to testify in support of [HB 1054](#), a bill to strengthen Colorado workers' right to a safe workplace. HB 1054 represents an opportunity for Colorado to continue showing leadership in efforts to protect all workers—both adults and minors—from preventable workplace injuries or fatalities.

As a national expert on state labor standards—including state standards to prevent young workers from exposure to hazardous occupations—I have had the opportunity to work on many state-level efforts to improve state workplace laws—including in Colorado. I regularly encourage policymakers to look to Colorado as a leader in making crucial and innovative updates to its standards both through legislation and administrative rulemaking. HB 1054 is an important next step for Colorado to take in this direction at a time when long-standing federal workplace health and safety standards are at risk.

Since the 1970 passage of the federal Occupational Safety and Health Act first established basic nationwide workplace health and safety standards, OSHA has saved [tens of thousands of lives](#) and prevented millions of injuries. Unfortunately, federal OSHA today faces [numerous threats](#) including diminished enforcement capacity, efforts to block important and long-overdue new worker protection standards, and—notably—efforts to weaken the statute's general duty clause, which ensures foundational safety protections to all workers, regardless of the occupation or industry they work in. The Trump administration has proposed carving entire industries out of coverage under the "general duty" clause. This disastrous proposal could leave many workers without any federally guaranteed right to protection from known and preventable workplace hazards.

Given the inadequacies of current federal OSHA enforcement and the risk that existing minimum federal standards could soon be eroded further, it's crucial for states to step in to protect their workers. HB 1054 not only enshrines the long-standing intention of the general duty clause into state law, but it also goes further to ensure stronger protections from workplace illnesses and injuries for Colorado workers today. Specifically, the bill creates a general duty of employers to provide "reasonable and adequate" protections for all workers and comply with all standards adopted through administrative rulemaking. The bill also empowers the state attorney general and the Colorado Department of Labor and Employment (CDLE) to refer cases for investigation and recover penalties to be used for enforcement. And—importantly—it provides labor organizations and individuals harmed on the job with the option to

file civil actions and pursue statutory damages in cases in which employers violate legal obligations to provide a safe workplace. These provisions will strengthen enforcement of the law, encourage reporting of unsafe working conditions by workers who report abuse at great personal risk, and more meaningfully deter violations.

As a national organization that convenes a network of state research and policy organizations, we have been closely tracking the implications of federal actions for workers at the state level. In the past year, OSHA has faced unprecedented threats to its enforcement capabilities, and aggressive immigration enforcement will make workers [even less likely](#) to feel safe reporting unsafe conditions at work. Because of these threats, state lawmakers have an opportunity and responsibility to [resist the erosion of hard-won worker protections](#) and take up the mantle of advancing workers' right to a safe workplace. The sponsors of this bill have shown that they take this commitment seriously, and we urge all members of this committee and the Colorado General Assembly to do the same by supporting the passage of HB 1054.

Thank you.

Nina Mast  
Policy and Economic Analyst  
Economic Policy Institute

**House Business Affairs & Labor**

**02/26/2026 01:30 PM**

**HB26-1054 Protections for Worker Safety**

**Typed Text of Testimony Submitted**

<b>Name, Position, Representing</b>	<b>Typed Text of Testimony</b>
Tony Milo Against Colorado Contractors Association	<p>Dear Members of the Colorado House Business Affairs and Labor Committee,</p> <p>My name is Tony Milo and I am testifying on behalf of the Colorado Contractors Association in opposition to HB26-1054.</p> <p>Our members are deeply committed to workplace safety. Construction is heavily regulated under federal law through the Occupational Safety and Health Administration, and contractors invest substantial time and resources to comply with those standards. HB26-1054 would create significant legal and practical problems without meaningfully improving safety outcomes.</p> <p>First, it creates confusion and duplicative enforcement.</p> <p>The bill establishes a separate state enforcement system layered on top of existing federal OSHA requirements. Employers and workers would face two compliance regimes, increasing the likelihood of inconsistent rules, interpretations, and penalties. Colorado is not an OSHA-approved State Plan state. Without that framework, the state does not currently have authority to directly enforce or reinterpret federal OSHA standards, making this parallel structure legally and administratively problematic.</p> <p>Second, it risks conflicting and unstable safety standards.</p> <p>The bill authorizes CDLE to adopt new state rules whenever federal protections are deemed “less stringent” a vague and subjective benchmark. Over time, this would create two evolving</p>

	<p>rulebooks: federal OSHA standards and separate Colorado rules that could diverge significantly. Contractors operating across state lines would face uncertainty, increased compliance costs, and difficulty training workers under shifting requirements. Stability and clarity are essential to effective safety compliance.</p> <p>Third, it replaces cooperative enforcement with expanded litigation. HB26-1054 opens the door for lawsuits by parties who may have no direct injury, seeking injunctions, stop-work orders, and statutory damages. That shifts workplace safety from proactive inspections, consultation, and hazard correction to courtroom battles. True safety improvements come from education, compliance assistance, and targeted enforcement – not from expanding private rights of action that incentivize litigation over collaboration.</p> <p>For these reasons, we urge you to vote NO on HB26-1054.</p> <p>Thank you, Tony Milo Colorado Contractors Association</p>
<p>Aimee Stark For themselves</p>	<p>Chair Ricks, Vice Chair Camacho, and members of the House Business Affairs and Labor Committee:</p> <p>Thank you for the opportunity to submit testimony in support of HB 26-1054. My name is Aimee Stark, and I am an industrial hygienist who has worked in occupational health and safety since 2010. For over fifteen years, my professional focus has been identifying workplace hazards, evaluating employee exposures, and helping organizations implement controls that prevent illness and injury.</p> <p>In my experience, many of the most serious workplace risks are not always tied neatly to a single, highly specific regulation. Industrial hygiene often involves emerging hazards, changing processes, or complex exposure scenarios that require employers to recognize and</p>

	<p>correct known risks even when there is not a detailed standard spelling out every step. The foundational principle that employers must provide a workplace free from recognized hazards is essential to preventing harm before it occurs. Codifying that obligation in Colorado law through HB 26-1054 ensures that this critical protection remains stable and enforceable, even if federal enforcement priorities shift.</p> <p>This bill supports proactive hazard identification and accountability. It reinforces the expectation that employers take reasonable and adequate steps to protect worker health, whether the hazard involves chemical exposure, airborne contaminants, noise, heat stress, or other occupational risks. From my professional perspective, clear statutory authority strengthens prevention efforts and creates consistency across industries.</p> <p>Workplace safety should not depend on changing federal landscapes. As someone who has dedicated my career to occupational health since 2010, I believe HB 26-1054 provides an important safeguard for Colorado workers and supports responsible employers who prioritize prevention.</p> <p>Thank you for your time and consideration. I respectfully urge you to support HB 26-1054.</p>
<p>Kristin Dallison For themselves</p>	<p>Dear Chair and Members of the Committee,</p> <p>My name is Kristin Dallison. I am writing in strong support of this bill.</p> <p>I previously worked inside a municipal building in Colorado where the fire suppression system failed. Instead of evacuating staff or addressing the safety risk immediately, I was told to “sit down and do my job.” The message was clear: productivity mattered more than employee safety.</p>

	<p>Every year, public employees are required to complete mandatory safety trainings, slips, trips, falls, electrical hazards, emergency response protocols, and more. We are trained extensively on what to do in the event of a safety failure. Yet when an actual system failure occurred in our building, those protocols were ignored. There was no urgency, no corrective action, and no protection for the employees working in that environment.</p> <p>It created an unsafe and deeply hostile work environment. I never imagined that a municipal government, an employer responsible for enforcing safety standards in the community, would disregard the safety of its own employees, but that is exactly what happened.</p> <p>No worker should be forced to choose between their paycheck and their physical safety. No employee should face retaliation, dismissal, or hostility for raising legitimate safety concerns.</p> <p>This bill helps ensure that workers are protected when employers fail to provide safe working conditions. It reinforces that safety standards are not just training checkboxes. Workers deserve enforceable rights.</p> <p>All workers deserve the protections this legislation strengthens. I respectfully urge you to vote YES.</p> <p>Thank you for your time and consideration.</p> <p>Kristin Dallison Bayfield, Colorado</p>
<p>Tykee James For Conservation Colorado</p>	<p>Thank you, Chair and members of the Committee. My name is Tykee James, and I serve as the Sr. Environmental Justice Campaign Manager at Conservation Colorado, our state's largest environmental advocacy organization. I urge a YES vote on HB26-1054, because good work needs a good workplace.</p>

	<p>Workers’s rights and environmental protection are inseparable. The communities most impacted by pollution are the same communities working in our state’s most dangerous jobs, facing the highest risk of injuries and fatalities. As federal workplace protections erode (including OSHA’s attempt to exempt “Inherently Risky Professional Activities” from basic safety requirements), environmental justice communities will be hit hardest.</p> <p>This bill ensures that Colorado workers have the right to a safe workplace, with meaningful enforcement mechanisms and the resources to make those protections real. If passed, it will:</p> <ul style="list-style-type: none"> <li>Preserve OSHA safety standards as of September 2025</li> <li>Empower enforcement by the AG’s office, labor groups, and workers</li> <li>Impose penalties for willful violations</li> <li>Fund state enforcement and education</li> </ul> <p>At Conservation Colorado, we know environmental progress requires protecting both our natural resources and the people who depend on them. Environmental progress means nothing if the people building our clean energy future are doing so in unsafe working conditions. We do not have a healthy environment without healthy, well-protected, and well-paid workers.</p> <p>For these reasons, I urge a YES vote on HB26-1054</p>
<p>Anaya Robinson For ACLU of Colorado</p>	<p>Chair and members of the committee,</p> <p>My name is Anaya Robinson and I’m the public policy director at the ACLU of Colorado. Writing to you today in support of HB26-1054.</p> <p>For too long, Colorado has relied on the federal government to develop and enforce health and safety protections for our workplaces. But under the current federal approach, that reliance is leaving Colorado workers without the protections they need. The</p>

	<p>federal government is proposing regulatory changes that reduce protections, and enforcement by the Occupational Safety and Health Administration has dropped dramatically.</p> <p>That leaves workers exposed unless Colorado steps up. This bill does exactly that. It creates a state-level general duty for employers to keep workers safe and establishes a state-level right to a safe workplace. Importantly, it incorporates the OSHA general duty clause as it has been interpreted by the federal government for decades—standards that responsible employers are already expected to follow.</p> <p>But we know unsafe conditions still happen. Workers and organizers have reported situations where hazards go unaddressed and preventable risks remain in place. We need state law that gives Colorado the tools to act when that happens.</p> <p>HB26-1054 also ensures that Colorado is not entirely dependent on federal officials to enforce basic safety requirements. Even as our state faces a revenue shortfall, that cannot mean workplace health and safety goes unenforced. This bill authorizes the Attorney General to enforce the right to a safe workplace and allows penalties collected to be reinvested into education and enforcement that protects workers.</p> <p>It also allows labor unions and worker organizations to seek injunctions—including stop-work orders—when serious hazards exist. Without strong public enforcement resources, these thoughtful private enforcement provisions are essential to making workplace safety real for workers across Colorado.</p> <p>These protections are basic. They are essential. And their enforcement is what ensures workers can do their jobs and return home safely to their families.</p>
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	Thank you for your time and consideration. I respectfully urge your support for HB26-1054.
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**To:** Members of the **House Business Affairs & Labor Committee**

**From:** Ms. Kiana Chapman

**Re:** HB26-1054 - Protections for Worker Safety

Madam Chair and Members of the Committee,

Thank you for the opportunity to submit testimony today. My name is Kiana Chapman, and I am testifying on behalf of Young Invincibles - Colorado. I am also a Colorado pre-medical student studying Integrative Health Care while working in healthcare settings. I am testifying to urge you to **support HB26-1054** because workplace safety protections directly impact young workers like myself and many of my peers.

Many students across Colorado balance school with jobs in healthcare, service industries, retail, and other frontline roles where workplace hazards are real. Early-career workers often have less job security and less power to advocate for safer conditions. Strengthening workplace safety protections helps ensure young people don't have to choose between their education, their income, and their health.

During my clinical training, I experienced a fainting episode (what's medically called a vasovagal reaction) while assisting with a procedure. I wanted to formally report the incident so I could be evaluated at urgent care without worrying about the cost, since I did not have health insurance at the time. Instead, I was instructed to not report it, and was later restricted from clinical duties. That experience made it clear how vulnerable early-career healthcare workers can be when safety reporting isn't fully supported. Strong workplace protections help ensure workers can prioritize their health and safety without fear of financial strain or professional consequences.

I also appreciate that HB26-1054 allows Colorado to maintain strong workplace safety standards even if federal protections change. Consistent state-level protections create stability for workers, employers, and communities, and reinforce workplace safety as a public health priority.

Workplace safety isn't just a labor issue; it is also a public health issue, an economic stability issue, and a workforce development issue. Supporting young workers today helps strengthen Colorado's future workforce.

As a young Coloradoan and healthcare student directly impacted by workplace safety conditions, I respectfully urge you to **support HB26-1054**.

Thank you for your time and consideration. I am happy to answer any questions.

Sincerely,

**To:** Members of the **House Business Affairs & Labor Committee**

**From:** Ms. Kiana Chapman

**Re:** HB26-1054 - Protections for Worker Safety

Kiana Chapman  
Colorado Undergraduate Student  
Youth Advocate | Young Invincibles - Colorado

**YOUNG**   
**INVINCIBLES**



fisherphillips.com

February 26, 2026

House Business Affairs and Labor Committee  
Colorado Legislature

Re: Opposition to HB 1054

Good Afternoon Madam Chair and Members of the Committee:

I am a workplace safety attorney with Fisher Phillips. I am representing the American Subcontractors Association of Colorado and also representing the Independent Electrical Contractors with respect to these comments. I have been a regulatory attorney working with OSHA regulations for over 20 years.

Thank you for the opportunity to present written testimony to you in opposition to House Bill 1054.

From a legal perspective, Bill 1054 has two primary flaws. First, in 1992, the Supreme Court held in *Gade* that if a federal regulation exists on an issue, any attempt by a State to regulate in the same area is preempted unless the State obtains an approved state plan, which this Bill is not proposing to do. HB 1054 proposes to create a statutory scheme to sit next to federal regulations, something not permitted by law.

Second, it is not needed. Working in the area of OSHA regulations for over 20 years now, OSHA conducts roughly the same number of inspections each year. For example, in 2019, Federal OSHA conducted just over 33,000 inspections. While it fell during COVID, it was back to almost 32,000 inspections in 2022 and then over 34,000 inspections in 2023 and 2024. 2025 numbers have not been released yet.

HB 1054 proposes to create a private right of action. Meaning, an individual or labor organization can obtain injunctive relief from a court ordering an employer to cease using certain equipment based on an employee's complaint that has yet to be adjudicated. This stoppage of work could prove detrimental to our construction industry as that employee may simply not be knowledgeable regarding the processes or equipment at issue.

**Denver**

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OSHA inspectors can seek injunctive relief if she believes there is a safety concerns. Further, we already have a statutory scheme under PHEW for worker retaliation claims over safety-related employment actions.

HB 1054 would require a significant monetary investment to employ enough inspectors to be trained on safety regulations and then conduct enforcement activities.

Thank you again for the opportunity to submit comments in opposition to HB26-1054.

I urge you to VOTE NO on this bill and I am happy to answer any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "KRISTIN B. WHITE", is written over a light blue horizontal line.

Kristin R. B. White

KRW:ms

Testimony HB26-1054 Protections for Worker Safety House Business Affairs & Labor 2-26-26  
Ellen Buckley, Women's Lobby of Colorado

Good afternoon Madam Chair, committee members. My name is Ellen Buckley and I'm the Chair of the Women's Lobby of Colorado, which I'm representing today in support of 1054. The Women's Lobby is a coalition of individual and organizational members advocating for gender equity and policies that positively impact women and families. We also score legislators on our priority bill and several others bills every year.

The Trump administration has harmed worker safety and health by closing dozens of OSHA and Mine Safety & Health Administration offices, firing employees, cutting funding, and drastically reducing inspections and enforcement. They have proposed rolling back numerous protective regulations. While these have yet to be finalized, their other actions have already resulted in increasing the danger to workers' health and their very lives.

This bill is a necessary means of filling the gap of federal enforcement. Filling the gap is particularly important when the administration is attempting to increase coal mining and power plants while simultaneously rolling back basic protections for those workers.

One of the most important parts of this bill is the right of private enforcement. Given the potential effect on public enforcement due to budget issues, private enforcement is critical. It's telling that many of the groups opposing this bill are those representing the most dangerous workplaces for workers, such as the American Petroleum Institute. You'll hear from these business groups that the sky is falling and they'll have to pull up stakes and leave Colorado if this bill passes. We've heard this before any time a bill is introduced that would actually help workers and includes a private right of enforcement, but the sky has not fallen yet, nor will it if you pass this bill.

This bill is not requiring anything right now that employers are not already required to provide. Requiring safe and healthy workplaces is the least Colorado should do. Indeed we must, given the lack of federal protections.

We thank the sponsors for bringing this important bill, and urge a yes vote. Thank you.