

# Colorado Family and Medical Leave Insurance (FAMLI) Employee Notice

November 8, 2022

Dear employees of the Woodmoor Water & Sanitation District No.1 :

In November 2020, 57% of Colorado voters approved Proposition 118, allowing for the implementation of a state-run Paid Family and Medical Leave Insurance (FAMLI) program. That same year, the state legislature enacted the Healthy Families and Workplaces Act (HFWA), which requires all Colorado employers to provide 48 hours per year of fully paid medical leave.

The District decided NOT to participate in the Colorado FAMLI program, per a vote of the Board of Directors on October 4, 2022.

While we have voted to opt out of the state-run FAMLI program, the District currently offers a paid leave program for our employees that meets or exceeds the standards required by both of these new laws, as shown below.

FAMLI	HFWA	WWSD
Up to 12 weeks of partial rate of pay for leave required for illness of employee or family member, victims of sexual assault or domestic violence, birth or adoption of a child	Employees must receive 1 hour of sick leave per 30 hours worked, up to 48 hours per year at normal rate of pay for any mental or physical illness, injury, or health condition that prevents work; doctor visits; preventative care; victims of sexual or domestic violence. Leave accrues from year to year but an employer can deny use of more than 48 hours in one year.	<p>WWSD Personnel Policy Section 4.12- All eligible part-time and full-time permanent employees accrue sick leave. Accrual begins when employment begins, and employees may use sick leave as soon as it is accrued. Sick leave shall accrue for full time and part time employees at the rate of one (1) hour for every thirty (30) hours worked, up to a maximum of 48 hours per year.</p> <p>Sick leave may be accumulated from year to year. Upon separation of employment, an employee shall receive one hour of regular pay for each one hour of accumulated sick leave up to 160 hours and shall receive one and one-half (1 ½) times the regular hourly pay for all accumulated sick leave time over 160 hours up to a maximum of 160 hours.</p>
	In addition to paid sick leave accrued under section 8-13.3-403, on the date a public health	WWSD Personnel Policy Section 4.25 - Full time employees will receive a one-

	emergency (“PHE”) is declared, each employer in the state shall supplement each employee’s accrued paid sick leave as necessary to ensure that (1) a full time employee may take 80 hours of PHE leave; and (2) and part time employee may take at least the greater of either the amount of time the employee is scheduled to work in a fourteen-day period or the amount of time the employee actually works on average in a fourteen-day period.	time supplement of up to eighty (80) hours of public health emergency leave on the date a public health emergency is declared. Part time employees will receive the number of hours in sick leave equal to what they are scheduled to work in a 14-day period either after or prior to leave request. Public health emergency leave is available for the following reasons related to the public health emergency:
Premium of 9% of Employees salary (Employer must pay at least half)	No premium	No premium
State pays out the benefit	District pays for benefits	District pays for benefits

You still have the choice to voluntarily opt into FAMLII as an individual: As a Colorado worker, you have the right to opt into FAMLII benefits pursuant to Colorado Revised Statute 8-13.3-514 C.R.S. Employees may still voluntarily opt into the state FAMLII program on their own, at a cost of .9% of their annual salary. Employees who opt in, must pay into the program beginning January 2023, agree to stay in for at least 3 years, and cannot apply for benefits until January 2024. You can either self-elect coverage and submit your employee premium along with your wage data every quarter directly to the FAMLII Division by creating an account at [famli.colorado.gov](http://famli.colorado.gov) once the online FAMLII portal is live, or your local government employer may assist you. If you create your own online account, you will need the FEIN # of your employer. You can learn more about the FAMLII program by contacting the Division at [CDLE\\_FAMLII\\_info@state.co.us](mailto:CDLE_FAMLII_info@state.co.us) or by visiting [famli.colorado.gov](http://famli.colorado.gov).

You could be eligible for FMLA: The Family and Medical Leave Act (FMLA) is a federal program that provides certain employees with up to 12 weeks of unpaid, job-protected leave per year. It also requires that their group health benefits be maintained during the leave. FMLA applies to all public agencies, all public and private elementary and secondary schools, and companies with 50 or more employees. All employees of the District are eligible for FMLA job protection.