



ADMINISTRATIVE POLICY STATEMENT

1 **Policy Title:** Leave

2 **APS Number:** 5062

APS Functional Area: **HUMAN RESOURCES**

3
4 **Brief Description:** This administrative policy statement (APS) outlines or references all university employee
5 leave-related policies. Each leave type listed below may apply to different employee
6 groups and may be controlled by either regent policy, this APS or other state rules and
7 regulations (as noted). In addition, effective dates may vary by section.
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Leave Type	See	Effective Date	Applies to
Vacation	Section 1	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Sick	Section 2	August 3, 2023	All employees.
Administrative	Section 3	January 1, 2024	See Section 3 for details.
Bereavement	Section 4	August 3, 2023	<i>University staff</i> and faculty on 12-month appointments.
Court and Jury	Section 5	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Furloughs	Section 6	April 2, 2020	All university employees.
Job-Related Illnesses and Injuries	Section 7	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Leave Sharing	Section 8	April 2, 2020	<i>University staff</i> , faculty on 12-month appointments and classified staff.
Leave Without Pay	Section 9	April 2, 2020 January 1, 2025	All university employees.
Military	Section 10	February 1, 2024	<i>University staff</i> and faculty on 12-month appointments.
Parental	Section 11	January 1, 2024 2025	All employees.
Paid Sick Leave During a Public Health Emergency	Section 12	April 2, 2020	All university employees.
Faculty Serving in Elected Office	Section 13	January 1, 2021	Faculty members on all campuses.

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10 **Effective:** February 1, 2024

11 **Approved by:** President Mark R. Kennedy (sections updated after July 1, 2021, were approved by
12 President Todd Saliman)

13 **Responsible University Officer:** Vice President and Chief Human Resources Officer

14 **Responsible Office:** Office of Employee Services

15 **Policy Contact:** Office of Employee Services

16 **Supersedes:** APS 5062-Leave, January 1, 2024 (effective dates may vary by section)

17 **Last Reviewed/Updated:** February 1, 2024

18 **Applies to:** See above. Each leave type will specify who it applies to.

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20 **Reason for Policy:** To consolidate leave policies to comply with state and federal law regarding university employee leave-
21 related policies. Sick and vacation accruals and compensation information can be found in [Regent Policy 11.E: Leave Policies](#)
22 [for Faculty and Staff](#).
23

APS 5062-LEAVE

Policy Overview: Leave

I. INTRODUCTION

This administrative policy statement (APS) outlines or references all university employee leave-related policies. Each leave type listed below may apply to different employee groups and may be controlled by either regent policy, this APS or other state rules and regulations (as noted). In addition, effective dates may vary by section.

Leave Type	See	Effective Date	Applies to
Vacation	Section 1	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Sick	Section 2	August 3, 2023	All employees.
Administrative	Section 3	January 1, 2024	See Section 3 for details.
Bereavement	Section 4	August 3, 2023	<i>University staff</i> and faculty on 12-month appointments.
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Faculty Serving in Elected Office	Section 13	January 1, 2021	Faculty members on all campuses.

II. RELATED POLICIES AND OTHER RESOURCES

A. Administrative Policy Statements (APS) and Other Policies

- [Regent Policy 11.E: Leave Policies for Faculty and Staff](#)

B. Other Resources (i.e., training, secondary contact information)

- Educational information and resources are available on the employee services website: <https://www.cu.edu/employee-services>

III. DEFINITIONS

Italicized terms used in this Administrative Policy Statement (APS) are defined in the [APS Glossary of Terms](#) or are defined in this section.

University staff - University staff are employees who are exempt from the rules, procedures and regulations that govern the state of Colorado personnel system per Section 24-50-135, C.R.S. University staff positions are subject to all other applicable federal and state law and regulations, as well as laws and policies set forth by the University of Colorado Board of Regents and other University policies. (The term “officer and exempt professional” was replaced with the term “university staff” effective April 17, 2015.)

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IV. HISTORY

- A. Effective April 2, 2020, the following policies were combined into the APS 5062-Leave policy. Individual APS history for each is listed below:
 - APS 5019-Parental Leave Benefits for Faculty and Staff
 - Initial policy effective: January 18, 1990.
 - Rescinded April 2, 2020.
 - APS 5021-Paid Administrative Leave for *University Staff* and Faculty on Twelve-Month Appointments
 - Initial policy effective: January 23, 2004.
 - Rescinded April 2, 2020.
 - APS 5049-Leave Sharing for *University Staff*, Faculty on Twelve-Month Appointments and Classified Staff
 - Initial policy effective: January 1, 2008.
 - Rescinded April 2, 2020.
- B. APS 5062-Leave was the result of combining leave policies maintained in other APSs and policies while keeping sick and vacation accruals and compensation in [Regent Policy 11.E: Leave Policies for Faculty and Staff](#).
 - Initial policy effective: April 2, 2020.
 - Revised: April 1, 2021, with a retroactive date of January 1, 2021, to add new section on paid sick leave during public health emergencies; merging the policy on leave for faculty serving in elected office (previously APS 5063) into a new section in APS 5062; and other revisions to conform with legislative changes from SB 20-205 known as the “Healthy Families and Workplaces Act”; June 13, 2022, Non-substantive change to subsection II.B.2.a. of Section 11-Parental to clarify that university paid parental leave is not in addition to the State of Colorado Paid Family Medical Leave (PFML) program for classified staff; August 24, 2022, Section 3-Administrative of this policy was updated to comply with Executive Order D 2022 036 “Authorization of Administrative Leave For State Employees Acting as Volunteer Firefighters and First Responders” which was signed by the Governor on July 20, 2022; August 3, 2023, Updated Sections 2-Sick and 4-Bereavement to incorporate changes from Senate Bill 23-017; January 1, 2024, Updated Section 3-Administrative, to provide clarity on when the administrative leave can be moved to accommodate work schedules, Section 10-Military to incorporate changes from HB 23-1045, and Section 11-Parental to incorporate the State of Colorado Family and Medical Leave Insurance (FAMLI) and the university’s private FAMLI plan; February 1, 2024 – Updated Section 10-Military Leave.
 - Last Reviewed: February 1, 2024.
- C. Effective January 1, 2021, the following policy was combined into the APS 5062-Leave. The individual history is listed below:
 - APS 5063-Leave for Faculty Serving in Elected Office
 - Initial policy effective: July 1, 2020.
 - Rescinded: January 1, 2021.

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APS 5062-LEAVE
Section 9: Leave Without Pay

Applies to: All University employees.

SECTION 9 – LEAVE WITHOUT PAY

I. POLICY STATEMENT

University employees may be granted leave without pay for valid reasons for a period of up to 12 months. Such leaves must be approved by the employee's supervisor and the hiring authority. Leave without pay, except for military leave without pay and furloughs, will not be granted until all vacation leave (if eligible), [sick leave \(if reason for absence is listed in APS 5062 Section 2 or FMLA covered\)](#), and [any additional accumulated paid leave](#) is exhausted, unless otherwise requested by the employee and approved by the supervisor.

Extensions beyond the initial 12-month period must be approved by the applicable hiring authority in consultation with a human resources office. During periods of leave without pay or short work break, except for military leave and furloughs, the employee does not accrue vacation and sick leave.

APS 5062-LEAVE

Section 11: Parental Leave

Applies to: All employees.

SECTION 11 – PARENTAL LEAVE

I. INTRODUCTION

The intention of this policy is to set forth the leave that a *parent* may take and define parental leave benefits for each employment classification.

II. POLICY STATEMENT

A. Parental Leave Benefits by Employment Classification

The provisions of this University Parental Leave Policy are intended to be interpreted in conjunction with the Federal Family Medical Leave Act (*FMLA*) and State of Colorado Family and Medical Leave Insurance Act (*FAMLI*). Parental Leave, *FAMLI* leave, and *FMLA* leave shall run concurrently. Thus, parental leave counts as part of, and is not in addition to, the 12 weeks of leave guaranteed by the *FMLA* and *FAMLI*.

All CU parental leave is granted [to care for the birthing parent immediately after birth \(usually 6-8 weeks\) and/or](#) to care for the employee’s *child* within 12 months of the birth, adoption, foster care placement, or guardianship of a *child*. The employee shall inform the appropriate supervisor as early as possible of the intent to request parental leave.

During unpaid parental leave, employees are required to adhere to any leave without pay policies.

If an employee is in a paid status, they will receive holiday pay in lieu of other compensation types. During consecutive leave periods, the holiday hours are included in the time off calculation and do not extend the leave period.

At no time will compensation equal more than an employee’s full salary, regardless of funding source. All leave program hour entitlements will be prorated based on the appointment percent of time.

For compliance and consistency, employees shall submit a leave application to Employee Services to utilize *FAMLI*, *FMLA*, and Parental Leave.

1. Nine-Month Faculty (non-temporary)

a. Time off options – programs run concurrently

i. Faculty Parental Leave:

- 1) Entitled to up to 18 weeks of parental leave.
- 2) Eligible on first day of employment if date of hire precedes first day of qualifying event.

ii. *FAMLI*:

- 1) Entitled to up to 12 weeks (480 hours) of *FAMLI* leave.
- 2) Eligible on first day of employment if work occurs in Colorado.

iii. *FMLA*:

- 1) Entitled to up to 12 weeks (480 hours) of *FMLA* leave.
- 2) Eligible if worked at CU for at least 12 months and at least 1,250 hours over the past 12 months.

- b. Compensation options for the 18 weeks based on eligibility for each leave program
 - i. Faculty parental leave:
 - 1) Entitled to 50% compensation for 18 weeks of parental leave. Faculty parental leave will supplement *FAMLI* wages, to at least 50% of pay.
 - 2) If there is no *FAMLI* available or becomes unavailable, Faculty parental leave compensates up to 50% of pay for up to 18 weeks.
 - 3) Eligible on first day of employment if date of hire precedes first day of qualifying event.
 - ii. *FAMLI*:
 - 1) Entitled to a percentage of weekly wages, for up to 12 weeks (480 hours).
 - 2) Eligible on first day of employment if work occurs in Colorado.
 - iii. Sick leave:
 - 1) Allowed to supplement compensation and combine with *FAMLI* and/or faculty parental leave for 18 weeks to provide an employee's full compensation.
 - iv. Short-term disability for birth *parent* only (optional plan, paid for by employee):
 - 1) Allowed to supplement compensation and combine with *FAMLI* and/or faculty parental leave.
 - 2) Must exhaust sick leave prior to utilization.

2. University Staff and Twelve-Month Faculty (non-temporary)

- a. Time off options – programs run concurrently
 - i. Parental Leave:
 - 1) Entitled to 26 consecutive weeks of unpaid parental leave.
 - 2) Eligible on first day of employment if date of hire precedes first day of qualifying event.
 - ii. *FAMLI*:
 - 1) Entitled to up to 12 weeks (480 hours) of *FAMLI* leave.
 - 2) Eligible on first day of employment if work occurs in Colorado.
 - iii. *FMLA*:
 - 1) Entitled to up to 12 weeks (480 hours) of *FMLA* leave.
 - 2) Eligible if worked at CU for at least 12 months and at least 1,250 hours over the past 12 months.
- b. Compensation options for up to 26 weeks based on eligibility for each leave program
 - i. Paid parental leave (PPL):
 - 1) Entitled to 100% compensation for the first 6 weeks (240 hours) of parental leave. Paid parental leave will supplement *FAMLI* wages, not to exceed 100% of pay.
 - 2) If *FAMLI* is not available or becomes unavailable, PPL compensates up to 100% of pay for up to 6 weeks.
 - 3) Eligible on first day of employment if date of hire precedes first day of qualifying event.
 - ii. *FAMLI*:
 - 1) Entitled to a percentage of weekly wages, for up to 12 weeks (480 hours).
 - 2) Eligible on first day of employment if work occurs in Colorado.
 - iii. Sick leave:
 - 1) Use alone and/or allowed to supplement compensation with *FAMLI* to provide an employee's full compensation.
 - iv. Vacation leave:
 - 1) Use alone and/or allowed to supplement compensation with *FAMLI* to provide an employee's full compensation once sick leave is exhausted.
 - v. Holiday pay that falls within the leave period if employee is in paid status.

- vi. Short-term disability for birth *parent* only (optional plan, paid for by employee):
 - 1) Allowed to use in addition to *FAMLI*.
 - 2) Must exhaust sick leave prior to utilization.

vii. Leave without pay.

3. Classified Staff (non-temporary)

a. Time off options – programs run concurrently

i. Parental Leave:

- 1) Entitled to 26 weeks of unpaid parental leave.
- 2) Eligible on first day of employment if date of hire precedes first day of qualifying event.

ii. *FAMLI*:

- 1) Entitled to up to 12 weeks (480 hours) of *FAMLI* leave.
- 2) Eligible on first day of employment if work occurs in Colorado.

iii. *FMLA*:

- 1) Entitled to up to 12 weeks (480 hours) of *FMLA* leave.
- 2) Eligible after 12 months of state service.

iv. State Family Medical Leave:

- 1) Entitled to up to an additional 40 hours subsequent to *FMLA* leave.

b. Compensation options for up to 26 weeks

i. *FAMLI*:

- 1) Entitled to a percentage of weekly wages, for up to 12 weeks (480 hours).
- 2) Eligible on first day of employment if work occurs in Colorado.

ii. State of Colorado Paid FML (PFML):

- 1) Entitled to up to 160 hours of PFML.
- 2) Eligible after 12 months of state service.

iii. Paid parental leave (PPL):

- 1) Entitled to 100% compensation for the first 6 weeks (240 hours) of parental leave. Paid parental leave will supplement *FAMLI* and PFML wages, not to exceed 100% of pay.
- 2) If *FAMLI* or PFML is not available or becomes unavailable, PPL compensates up to 100% of pay for up to 6 weeks.
- 3) Eligible on first day of employment if date of hire precedes first day of qualifying event.

iv. Sick leave:

- 1) Use alone and/or allowed to supplement compensation with *FAMLI* to provide an employee's full compensation.

v. Vacation leave:

- 1) Allowed to supplement compensation and combine with *FAMLI* to provide an employee's full compensation once sick leave is exhausted.

vi. Holiday pay that falls within the leave period if employee is in paid status.

vii. Short-term disability for birth *parent* only (mandatory plan, paid for by university):

- 1) Allowed to use in addition to *FAMLI*.

viii. Leave without pay.

4. All other employees

Regular employees in appointments less than 50%, temporary faculty, temporary staff, student employees, graduate students on appointment, residents, and any other employee not listed in sections above. *Note that*

298 *individuals in job codes 3201-3209 (on unique stipends and fellowships) are not considered CU employees and*
 299 *are not subject to the FAMLI premium and are not entitled to FAMLI benefits.*

- 301 a. Time off options – programs run concurrently
 302 i. *FAMLI*:
 303 1) Entitled to up to 12 weeks (480 hours) of *FAMLI* leave.
 304 2) Eligible for *FAMLI* beginning on first day of employment.
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 306 ii. *FMLA*:
 307 1) Entitled to up to 12 weeks (480 hours) of *FMLA*.
 308 2) Eligible if worked at CU for at least 12 months and at least 1,250 hours over the past 12 months.
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 310 b. Compensation Options
 311 i. *FAMLI*:
 312 1) Entitled to a percentage of weekly wages, for up to 12 weeks (480 hours).
 313 2) Eligible on first day of employment if work occurs in Colorado.
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 315 ii. Sick leave:
 316 1) Allowed to supplement compensation and combine with *FAMLI* to provide an employee’s full
 317 compensation.
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 319 iii. Vacation:
 320 1) Allowed to supplement compensation and combine with *FAMLI* to provide an employee’s full
 321 compensation once sick leave is exhausted if employee earns vacation time.
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323 B. Parental Leave Components

324 1. University Paid Parental Leave (PPL) Benefit Program

- 325 a. The university grants 100% compensation for the first 6 weeks (240 hours) of parental leave to eligible
 326 employees (see section II.B.1.b). Paid parental leave will supplement *FAMLI* and *PFML* wages, not to
 327 exceed 100% of pay, and cannot be utilized without *FAMLI* unless *FAMLI* has been exhausted in the current
 328 year or for out-of-state employees.
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 332 i. Parental leave must be taken and completed within one year of the birth, adoption, foster care
 333 placement, or guardianship of a *child*. A department may require blocks of time (i.e. full shifts, days or
 334 weeks) for bonding and request the employee make a reasonable effort to schedule leave as not to
 335 unduly disrupt operations.
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 337 ii. There is no cash value for paid parental leave upon termination from the university and leave cannot be
 338 rolled forward for future use.
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 340 iii. University paid parental leave is calculated on the employee’s base salary only and is subject to taxes
 341 and withholdings.
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 343 iv. Eligible employees are only entitled to one paid parental leave period per year from the date the first
 344 paid parental leave begins.
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 346 v. University paid parental leave is not in addition to the State of Colorado Paid Family Medical Leave
 347 (*PFML*) program for classified staff.
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 349 b. Eligibility for University Paid Parental Leave Program
 350 i. A regular, non-temporary 12-month faculty member, university staff, or classified staff member must
 351 have a regular appointment of 50% or greater on the date of birth, adoption, foster care placement, or
 352 guardianship of a *child* to be eligible for paid parental leave.
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2. Family and Medical Leave Insurance (*FAMLI*)

FAMLI is a state law that guarantees Colorado workers 12 weeks per year of partial wage replacement and leave to attend to certain family and medical needs, including a *child's* birth, adoption, foster care placement, or guardianship of a *child*.

- a. An employee may receive up to an additional 4 weeks if complications pertaining to the birthing *parent's* health occur and are documented on a medical certification form.
- b. Employees are eligible for job protection through *FAMLI* after 180 days of employment.
- c. If *FAMLI* is utilized for a different condition in the same year, the amount allocated for the purposes of parental leave is reduced accordingly.
- d. The university shall inform all employees who are covered by *FAMLI* of their *FAMLI* rights regarding leave for pregnancy or for the birth, adoption, foster care placement, or guardianship of a *child*, and shall administer *FAMLI* leave in accordance with CU's *FAMLI* Plan and university policies.

3. Family Medical Leave Act (*FMLA*) for Parental Leave

The *FMLA* is a federal law that guarantees certain workers 12 weeks per year of unpaid leave to attend to certain family and medical needs, including a *child's* birth, adoption, foster care placement, or guardianship of a child.

- a. If *FMLA* is utilized for a different condition in the same year, the amount allocated for the purposes of parental leave is reduced accordingly.
- b. The university shall inform all employees who are covered by the *FMLA* of their *FMLA* rights regarding leave for pregnancy or for the birth, adoption, foster care placement, or guardianship of a *child*, and shall administer *FMLA* leave in accordance with federal law.

4. Alternative Leave for Birth, Adoption, Foster Care Placement, or Guardianship of a *Child*

Any faculty or staff member who does not wish to take the standard leave described in section II.A may negotiate an alternative leave arrangement with their supervisor or primary unit chair. For example: using the six-month unpaid parental leave intermittently, alternative work schedules, differentiated workloads, banked courses, etc.

The decision whether to grant such a negotiated leave arrangement shall be dictated by the needs of the unit, at the discretion of the supervisor or unit chair and in consultation with the human resources office to ensure that the decision is consistent with the *FMLA* and *FAMLI*. Negotiated leave arrangements must be in writing and, in the case of a staff member, signed by the staff member and supervisor; or, in the case of a faculty member, by the faculty member, chair, and dean.

C. Tenure Probationary Period for Tenure-Track Faculty

Consistent with [Regent Policy 5.D.1: Tenure Probationary Period](#) and section III.A of [APS 1022 - Standards, Processes and Procedures for Reappointment, Tenure, Promotion, and Post-Tenure Review](#), leave taken pursuant to this parental leave policy, including a negotiated alternative leave, does not count as part of the tenure probationary period. Parental leave results in a "stop" on the tenure clock; such "stops" must be taken in one-year increments. However, a faculty member may irrevocably elect, no later than six months following their return to full-time service, to have the leave time count as part of the tenure probationary period. Such an election shall be made in writing and must be approved by the dean and the chancellor.

A faculty member who has experienced the birth, adoption, foster care placement, or guardianship of a *child*, but who does not take parental leave, may also irrevocably elect to stop the tenure clock for one year, provided the election is made in writing within six months of the *child's* birth, adoption, foster care placement, or guardianship of a *child*.

Absent extraordinary circumstances, a maximum of two "stops" on the tenure clock for parental leave is allowed under this policy.

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D. Simultaneous Leave

If both *parents* are employed by the University of Colorado and both are eligible for any parental leave benefit described under this policy, paid and unpaid leaves under this policy may be taken simultaneously or may be staggered within 12 months of a *child's* birth, adoption, foster care placement, or guardianship of a *child*.

E. Campus Parental Leave Policies

1. A campus may adopt a campus-specific policy provided that the approved policy is referenced in section IV of this APS and the Office of University Counsel reviews any alternate policy.
 - a. A campus may provide additional parental leave benefits to its employees or to a group of its employees that are more generous than those provided in section II.A of this APS.

III. **DEFINITIONS**

Italicized terms used in this section of the Administrative Policy Statement (APS) are defined in the [APS Glossary of Terms](#) or are defined in this section.

FMLA – The Family Medical Leave Act, 29 U.S.C. 2601 et seq., a federal law which guarantees unpaid, job protected leave for certain employees experiencing qualifying family and medical circumstances, including the birth, adoption, foster care placement or guardianship of a child.

FAMLI – The Family and Medical Leave Insurance Act, C.R.S. § 8-13.3-501, is a state of Colorado law with guarantees all employees experiencing a qualifying family and medical circumstance a partial wage replacement and job protected leave.

Child – A biological child, adopted child, foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is either under 18 years of age or is 18 years of age or older and “incapable of self-care because of a mental or physical disability” at the time leave is to commence.

Parent – A biological parent, adoptive parent, foster parent, guardian or a spouse, domestic partner or civil union partner of a parent, including an employee using a surrogate/gestational carrier.

IV. **RELATED POLICIES**

- A. Campus Parental Leave Policies
 - [CU Boulder](#)
- B. [Regent Policy 11.E: Leave Policies for Faculty and Staff](#)
- C. [FAMLI Process and Procedures](#)