

Colorado Healthy Families and Workplaces Act Summary

The Colorado Healthy Families and Workplaces Act (Act) (C.R.S. §8-13.3-403 et seq.) becomes effective January 1, 2021. The Act requires employers to provide paid sick leave to all employees. Although the university provides paid sick leave for most of its employees, the current leave policy does not comply with certain requirements in the Act. Further, there are certain employee classifications that are currently ineligible for paid sick leave but will be eligible on January 1, 2021. Revisions to Regent Policy 11 and APS 5062 are necessary to comply with the Act's requirements. Because the revisions are not scheduled to be approved until February, the approval should be retroactive to January 1, 2021.

Below is a summary of the requirements of the Act and where they are being addressed (i.e. Regent Policy 11 and/or APS 5062).

All Employees Are Now Eligible for Paid Sick Leave

The Act requires an employer to provide employees with a minimum of one hour of paid sick leave for every 30 hours worked, up to a maximum of 48 hours. Additionally, an employee may carry over at least 48 hours of accrued paid sick leave from year to year. The university provides more than adequate leave to its currently eligible employees. The recommended revisions to Regent Policy 11E and APS 5062 are not intended to increase the amount of paid sick leave currently available to these eligible employee classifications. However, there are employee classifications that are not currently eligible for paid sick leave. Regent Policy 11 and APS 5062 provide for paid sick leave for newly-eligible job classifications in accordance with the Act.

Accrual of Paid Sick Leave

The Act requires an employee to begin accruing paid sick leave when the employee's employment begins. The sick leave may be used as it is accrued and at least 48 hours of unused sick leave may be carried forward for use in the subsequent calendar year. Regent Policy 11 and APS 5062 are updated to include these requirements.

Paid Sick Leave Is Available for Broader Use

The Act provides for a list of reasons an employee may use paid sick leave, including for reasons related to domestic abuse, sexual assault and harassment. APS 5062 is updated to include the use of sick leave for the reasons provided for in the Act.

Rehire

Any unused paid sick leave must be reinstated if the employee is rehired within six months of separation from employment. APS 5062 is updated to provide for this reinstatement.

Public Health Emergency Supplemental Leave

In addition to the paid sick leave accrued by an employee, the Act requires an employer to provide its employees with an additional amount of paid sick leave during a public health emergency. APS 5062 is updated to provide for this additional leave.