Published on *University of Colorado* (https://www.cu.edu)

Healthy Families and Workplaces Act (2020) [1]

This page provides information most relevant to CU employees. Please see the HCM Healthy Families and Workplaces Act page [2] for information relevant to supervisors and payroll personnel.

During the 2020 Regular Session, the Colorado legislature passed the Healthy Families and Workplaces Act [3]requiring employers across the state to provide paid sick leave to their employees. This law impacts employees across the state, including part-time employees not already covered by CU's standard sick leave policy.

Beginning Jan. 1, 2021, all Colorado employers with 16 or more employees (and all employers, regardless of staff size, by Jan. 1, 2022) must provide paid sick leave for their employees at a minimum rate of 1 hour of sick leave for every 30 hours worked.

At CU, this law will largely impact part-time employees who work fewer than 20 hours per week. Because of their limited hours, plus the likelihood that this includes student employees with inconsistent schedules, the university is opting to calculate this sick leave on a prorated basis.

Key points

- This new policy **does not affect** employees currently covered by the standard sick leave policy.
- Affected employees will earn roughly .034 hours of sick leave per hour worked.
- Affected employees will be able to carry a maximum of 48 hours of sick leave from one fiscal year to the next.
- Affected employees will only be able to use 48 hours of sick leave per fiscal year, regardless of how much leave they have banked.
- Biweekly pay groups will have access to a new earnings code to pay employees for sick leave usage.
- Monthly pay groups will continue to use existing sick earnings codes to record sick leave.
- All employees without a sick balance will be able to use up to 80 hours of Public Health Emergency Leave, during a public health emergency set by the state of Colorado.

Resources

Many employees who have not been leave-eligible before now will likely be unfamiliar with the process of checking their leave balance and using their leave. Likewise, supervisors who have only worked with non-leave eligible direct reports may be unfamiliar with the review and approval process.

These guides and resources can help employees navigate the leave request and approval process in the My Leave timekeeping system:

- My Leave Basics [4]
- My Leave for Supervisors [5]
- My Leave for Supervisors (Skillsoft course) [6]
- My Leave Frequently Asked Questions [7]
- Administrative Policy Statement on Leave [8]

These guides aren’t one-size-fits-all. Not every department uses My Leave to track employee time. If you have any questions not addressed by these user guides and FAQ, please reach out to your campus HR office.

FAQs

General Questions

Q) When can I use sick leave?

Sick leave can be used for the following reasons:

- An employee has a mental or physical illness, injury, or health condition; needs a medical diagnosis, care, or treatment related to such illness, injury or condition; or needs to obtain preventive medical care.
- An employee needs to care for a family member who has a mental or physical illness, injury or health condition; needs a medical diagnosis, care or treatment related to such illness, injury or condition; or needs to obtain preventive medical care;
- An employee or family member has been the victim of domestic abuse, sexual assault, or harassment and needs to be absent from work for purposes related to such crime; or
- A public official has ordered the closure of the school or place of care of the employee's child or of the employee's place of business due to a public health emergency, necessitating the employee's absence from work.

See CU's Sick Leave policy [9] for additional details.

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Q) How much will I accrue?

A) When determining your accrual, please keep the following in mind:

- CU has several leave eligibilities, so your accrual will depend on your position type
- Employees in multiple positions might have multiple eligibilities. In that case you would apply the eligibility rules separately to each position
- Your accrual in any position will be affected by your schedule. If you are part-time in a position, your accrual may be a proration of the full benefit

Job Type	Sick Leave Accrual
Classified Staff (non-temporary)	• Classified Staff employees accrue a maximum of 6.66 hours of sick each month, prorated based on the hours worked versus total work hours possible in the pay period month. • Classified Leave rules are governed by state law. You can review information about sick leave on the Office of Policy and Efficiency (OPE) Leave Policies page [8].
University Staff employees (non-temporary)	• Full-time University Staff employees accrue a maximum of 10.0 hours of sick each month, prorated based on the hours worked versus total work hours in the pay period month. • More information on University Staff leave policies can be found on the Office of Policy and Efficiency (OPE) Leave Policies page [8].
12-month Faculty (non-temporary)	• Employees considered 12-Month Faculty accrue a maximum of 10.0 hours of sick leave each month, prorated based on the hours worked versus total possible work hours in the pay period month. • More information on leave policies can be found on the Office of Policy and Efficiency (OPE) Leave Policies page [8].
9-month faculty	• Full-time 9-Month Faculty are provided 44 hours of sick leave at the beginning of each fall and spring semester, usable immediately. • Faculty not working full-time are given a proration of sick hours at the beginning of each fall and spring semester. Proration criteria is determined at the campus level
Student contracts All other contract employees	• Full-time employees paid on a contract and not covered by the 12-month Faculty or 9-month Faculty policy are provided 24 hours of sick leave at the beginning of each fall, spring and summer semester, usable immediately. • Contract employees not working full-time are provided a proration of sick hours at the beginning of each fall, spring and summer semester. Proration criteria is determined at the campus level.

Job Type	Sick Leave Accrual
Student employees (non-contract)	This group of employees accrue leave at a rate of 0.034 sick hours for each hour worked. Accrual hours are calculated as part of the pay period processing and posted to employee records after the pay period.
Temporary university staff	This group of employees accrue leave at a rate of 0.034 sick hours for each hour worked. Accrual hours are calculated as part of the pay period processing and posted to employee records after the pay period.
Temporary 12-month faculty	This group of employees accrue leave at a rate of 0.034 sick hours for each hour worked. Accrual hours are calculated as part of the pay period processing and posted to employee records after the pay period.
Other employees	This group of employees accrue leave at a rate of 0.034 sick hours for each hour worked. Accrual hours are calculated as part of the pay period processing and posted to employee records after the pay period.

Q) How do I view my sick leave balance?

A) This depends on your pay frequency or status as a contracted employee.

Monthly Pay:

Employees in pay groups paid monthly can use the sick earnings codes that are already available. There are no new codes or processes to record this time.

Biweekly Pay:

Employees paid in a biweekly pay group will have a new Earnings Code – **Hourly Sick Leave** – that will pay the employee for absence time covered by the state sick leave plan as long as they have an available balance to use. Employees do not need to enter a second code to be paid. Entering **HSK – Hourly Sick Leave** alone will pay the employee for the hours of leave used.

Contract:

Through My Leave

Contract employees cannot enter sick leave usage for themselves at this time. Work with your campus HR representative to record the usage of your sick leave.

Q) How much sick leave can I use at one time? Do I have to use a whole hour?

A) Employees can use sick leave in increments of 15 minutes (0.25 hours).

Q) How much leave can I accrue? Will my leave be capped or taken away?

Employees eligible for state sick leave and earning 0.034 accrual hours per hour worked can only use up to 48 hours each plan year, regardless of how many hours they accrue. A plan year matches the fiscal year of July 1 – June 30 of the following year.

State sick leave eligible employees may also carry up to 48 hours of unused leave into the next plan year. The evaluation of an employee's carryover occurs during the Leave Sweep process at the end of each fiscal year, at the same time we run the Leave Sweep process for our existing leave plans. Any balance that exceeds 48 hours will be removed at that time for the state sick leave plan enrollees.

- University Staff, Classified Staff, and 12-Month faculty plans already have rules outlined for maximum balances and sweeping leave. They can be found here:
  - University Staff and 12-Month Faculty [10]
  - Classified Staff [10]

9-Month faculty do not have a limit on their total leave balance. However, these employees

Q) How do I record absence for sick leave?

Course	Details
Leave Balance Tile in the Employee Self Service portal	• The Leave Balance tile allows an employee to find information on their leave accruals, including their current balance. Columns showing which leave plans they are **not** enrolled in, and historical earnings and usage by pay period. • Employees with multiple leave eligibilities can use the summary tab to see the specific monthly balance of hours available for each position. Users can click the **Previous** and **Next** links to scroll between the leave charts for their individual positions. • The Leave Balance tile can be viewed in the employee portal's CU Resources area in the My Info and Pay section. • Have an available balance to use. Employees do not need to enter a second code to be paid. Entering **HSK – Hourly Sick Leave** alone will pay the employee for the hours of leave used. • My Leave will display your leave balance as a total sum across all positions. For employees with multiple leave eligibilities, this would not display the available balance for each position. If you try to use leave from a different sick plan, your sick usage will be docked on your paycheck for the hours of overuse. To prevent being docked for recording sick not available on that job record, it is recommended you review your sick balances on the CU Leave Accrual Summary Page. The CU Leave Accrual Summary Page can be accessed from the portal Employee Self Service page using the "Leave Balances" tile.
My Leave	• Leave balance information, including accrued usage and off-month balance, and projected accrual for future months (based on standard hours on your job record). • A guide to My Leave can be found in the My Leave Basics guide [4]. • My Leave will display your leave balance as a total sum across all positions. For employees with multiple leave eligibilities, this would not display the available balance for each position. If you try to use leave from a different sick plan, your sick usage will be docked on your paycheck for the hours of overuse. To prevent being docked for recording sick not available on that job record, it is recommended you review your sick balances on the CU Leave Accrual Summary Page. The CU Leave Accrual Summary Page can be accessed from the portal Employee Self Service page using the "Leave Balances" tile.
Contract Employees	• At this time, contract leave balances are not displayed in the employee portal. If you wish to know your current balance and prior usage, please talk to your department HR liaison.

cannot earn more than 11 days (88 hours) of leave in any calendar year.

Q) Will I be able to use my sick leave across my multiple jobs?

A) This depends on your specific situation. If all your positions are eligible for the same leave benefits – meaning all eligible for the state sick benefit, all eligible for the Classified leave benefit, or all eligible for the University Staff leave benefit – then your sick balance will be shared across those positions.

If you have positions with differing eligibility – such as a position eligible for Classified sick leave and a position eligible for the state sick leave – then those balances would not be shared with the positions enrolled in a different leave plan.

Please note: Employee positions paid through a contract currently do not accrue any leave within the HCM system and will not record or have access to that leave within My Leave. See your campus Human Resources department for details on usage of this leave.

Q) I am a temporary employee paid on a contract. Am I eligible for paid sick leave under the new law?

A) Contract employees are eligible for the new paid sick leave. Campus Human Resources departments are creating processes to track leave usage outside of My Leave. If you are a contract employee, more information will be provided to you about leave accrual and usage at the beginning of the spring semester.

Q) What happens to my sick balance when I terminate?

A) If you leave employment with CU, generally you lose all remaining sick leave balances and do not receive a payout of any unused sick leave. There are exceptions for certain employees retiring, and Classified employees have rules governed by state law that allows balances to transfer to other state positions.

However, any employee that terminates their employee relationship with CU but returns within six (6) months is entitled to full reinstatement of any sick leave balance that remained at the time of termination.

Sick leave balances should be transferred between departments or campuses if an employee is maintaining at least one active employee position with CU.

Q) I am paid through a stipend. Am I eligible for paid sick leave under the new law?

A) Employees paid on a stipend are not eligible for sick leave because they do not have a bona fide employee relationship.

Groups audience:
Employee Services

Source URL:https://www.cu.edu/employee-services/payroll/self-service/my-leave/healthy-families-and-

workplaces-act-2020

Links
[1] https://www.cu.edu/employee-services/payroll/self-service/my-leave/healthy-families-and-workplaces-act-2020 [2] https://www.cu.edu/hcm-community/pay-employees/healthy-families-and-workplaces-act
[3] https://leg.colorado.gov/bills/sb20-205 [4] https://www.cu.edu/docs/sbs-my-leave-basics-preferences-time-and-leave [5] https://www.cu.edu/docs/sbs-my-leave-supervisors
[6] https://universityofcolorado.skillport.com/skillportfe/main.action?path=summary/CUSTOMER_DEFINED/_scorm12_c
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