



**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.  
8

Leave Type	See	Effective Date	Applies to
Vacation	<a href="#">Section 1</a>	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Sick	<a href="#">Section 2</a>	August 3, 2023	All employees.
Administrative	<a href="#">Section 3</a>	<del>August 24, 2022</del> TBD	See Section 3 for details.
Bereavement	<a href="#">Section 4</a>	August 3, 2023	<i>University staff</i> and faculty on 12-month appointments.
Court and Jury	<a href="#">Section 5</a>	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Furloughs	<a href="#">Section 6</a>	April 2, 2020	All university employees.
Job-Related Illnesses and Injuries	<a href="#">Section 7</a>	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Leave Sharing	<a href="#">Section 8</a>	April 2, 2020	<i>University staff</i> , faculty on 12-month appointments and classified staff.
Leave Without Pay	<a href="#">Section 9</a>	April 2, 2020	All university employees.
Military	<a href="#">Section 10</a>	<del>April 2, 2020</del> TBD	<i>University staff</i> and faculty on 12-month appointments.
Parental	<a href="#">Section 11</a>	<del>June 13, 2022</del> TBD	<del>Nine-month faculty, university staff, faculty on 12-month appointments, and classified staff.</del> All Employees.
Paid Sick Leave During a Public Health Emergency	<a href="#">Section 12</a>	April 2, 2020	All university employees.
Faculty Serving in Elected Office	<a href="#">Section 13</a>	January 1, 2021	Faculty members on all campuses.

9  
10 **Effective:** ~~August 3, 2023~~ January 1, 2024 (Pending)

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, 2021 (effective dates may vary by section)

17 **Last Reviewed/Updated:** ~~August 3, 2023~~ January 1, 2024 (Pending)

18 **Applies to:** See above. Each leave type will specify who it applies to.  
19

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  
24

# 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	<a href="#">Section 1</a>	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Sick	<a href="#">Section 2</a>	August 3, 2023	All employees.
Administrative	<a href="#">Section 3</a>	<del>August 24, 2022</del> TBD	<i>University staff</i> and faculty on 12-month appointments.
Bereavement	<a href="#">Section 4</a>	August 3, 2023	<i>University staff</i> and faculty on 12-month appointments.
Court and Jury	<a href="#">Section 5</a>	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Furloughs	<a href="#">Section 6</a>	April 2, 2020	All university employees.
Job-Related Illnesses and Injuries	<a href="#">Section 7</a>	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Leave Sharing	<a href="#">Section 8</a>	April 2, 2020	<i>University staff</i> , faculty on 12-month appointments and classified staff.
Leave Without Pay	<a href="#">Section 9</a>	April 2, 2020	All university employees.
Military	<a href="#">Section 10</a>	<del>April 2, 2020</del> TBD	<i>University staff</i> and faculty on 12-month appointments.
Parental	<a href="#">Section 11</a>	<del>June 13, 2022</del> TBD	<del>Nine-month faculty, university staff, faculty on 12-month appointments, and classified staff.</del> All Employees.
Paid Sick Leave During a Public Health Emergency	<a href="#">Section 12</a>	April 2, 2020	All university employees.
Faculty Serving in Elected Office	<a href="#">Section 13</a>	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.)

57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99

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; [TBD, 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.](#)
  - Last Reviewed: [August 3, 2023TBD.](#)
- 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.

**The following sections are currently under review.**

**APS 5062-LEAVE**

**Section 3: Administrative Leave**

**SECTION 3 – ADMINISTRATIVE LEAVE**

**I. INTRODUCTION**

Short-term paid administrative leave is permitted for eligible employees. The president or chancellor may authorize paid administrative leave for employees during an approved campus closure or other emergency. [Classified staff administrative leave is governed by the State Personnel Board rules.](#)

**II. POLICY STATEMENT**

**A. Extended Paid Administrative Leave (applies to all *university staff* and faculty on 12-month appointments)**

If a *university staff* or faculty member on a 12-month appointment is the subject of disciplinary action or an investigation, extended paid administrative leave may be authorized for such employee for a reasonable period of time. In such circumstances, a reasonable period of time will be determined based upon the length of time it takes to complete an investigation. Only the president or chancellors, or their designees, may authorize extended paid administrative leave for *university staff* and 12-month faculty for investigative purposes.

However, the president or chancellors, or their designees, reserve the right to place *university staff* or faculty on a 12-month appointment on extended leave without pay.

In the event of an approved campus closure or other emergency, the president or chancellor may authorize extended paid administrative leave sufficient to address the immediate crisis.

**B. Short-Term Paid Administrative Leave (applies to all *university staff* and faculty on 12-month appointments)**

~~Supervisors of eligible employees may authorize short term paid administrative leave for the purposes described in this policy. A maximum of ten (10) days or eighty (80) hours of short term administrative leave may be granted over a 12 month period.~~

Short-term paid administrative leave is not an entitlement or benefit. Authorization of short-term paid administrative leave for eligible employees rests within the sole discretion of their supervisors as exercised within the guidelines described in this policy.

**1. ~~1.~~ Supervisor granted Purpose of Short-Term Paid Administrative Leave**

Supervisors may authorize short-term paid administrative leave for eligible employees for reasons determined to be for the good of the university and the state. Supervisors shall consider prudent use of taxpayer dollars and the business needs of the university in determining whether such leave is for the good of the state. Such reasons include, but are not limited to, incentive rewards, coursework directly related to employment, and participation in school or community volunteer activities.

Short-term paid administrative leave may also be authorized for eligible employees whose workloads (e.g., specific long- or short-term projects) require them to work significantly beyond their normal work schedules (as established by their individual supervisors) for prolonged periods of time when such leave is found to be necessary to maintain employee performance or morale or in recognition of extraordinary work performance.

Use of short-term paid administrative leave is not required for eligible employees for the purpose of attending or participating in professional or academic seminars or conferences, participation in official activities of university

employee organizations or other similar events, or supervisor required training. These activities are considered to be work time for which leave is not required.

Supervisors of eligible employees may authorize short-term paid administrative leave for the purposes described in this policy. A maximum of ten (10) days or eighty (80) hours of short-term administrative leave may be granted over a 12-month period per fiscal year.

2. Authorization of Short Term Paid Administrative Leave

Ordinarily, eligible employees must have their supervisor's authorization prior to taking short-term paid administrative leave. In exceptional circumstances, short-term paid administrative leave may be authorized retroactively.

2. Chancellor, President and/or Governor's Short-Term Paid Administrative Leave

The campus chancellor, CU president or Colorado Governor may grant administrative leave for campus closures or additional holidays. Each closure decision will articulate if the campus is fully closed or limited to administrative offices only to allow for academic, clinical, and research activity to continue.

If an employee is required to work on a designated administrative leave day, the employee may utilize the administrative leave hours at another time that is agreed upon between the employee and supervisor.

3. Inclement Weather Short-Term Paid Administrative Leave

The chancellor and presidents, or their designees, may issue a campus closure due to inclement weather. Each campus follows a distinct inclement weather process and communication is campus specific.

If an employee is required to work on a designated inclement weather administrative leave day, the employee may not utilize the administrative leave hours at another time as this leave is granted for safety purposes.

C. Volunteer Firefighter and First Responder Required Paid Administrative Leave (applies to all non-temporary employees)

Per State of Colorado Executive Order D 2022 036, CU is required to grant five (5) days of additional administrative leave (8 hours each day, pro-rated for part time) per fiscal year, in support of non-temporary employees responding to a fire as a volunteer firefighter or volunteer first responder. This time may not be used to train for voluntary firefighter or first responder duties.

D. Reporting Requirements

All use of paid administrative leave for eligible employees, except in situations of campus closures, must be reported by use of the university's time collection procedures. ~~The president shall review the use of short term paid administrative leave on an annual basis.~~

**III. INTERPRETATION**

The Office of the Chief Human Resources Officer and Associate Vice President of Employee Services shall interpret this policy.

# APS 5062-LEAVE

## Section 10: Military Leave

**Applies to:** *University staff* and faculty on 12-month appointments.

### SECTION 10 – MILITARY LEAVE

#### I. POLICY STATEMENT

Use of military leave shall be consistent with state and federal laws. Upon presentation of proper military orders, *university staff* or faculty on a 12-month appointment who is a reservist or member of the National Guard is granted up to the equivalent of three weeks of a regular work schedule ~~15 calendar days~~ of paid leave per fiscal year with pay to attend training and/or active-duty service ordered. This leave is not charged to vacation leave.

If military service continues beyond the equivalent of three weeks of a regular work schedule ~~15 calendar days~~, the employee may utilize and exhaust their vacation leave. Once the employee exhausts vacation leave or chooses not to utilize vacation time, the employee will be placed on military leave without pay for any remaining period of required military service. An employee on military leave continues to accrue vacation and sick leave.

An appointing authority may authorize pay equal to the difference between the employee’s university monthly pay and the sum of the monthly military pay and allowances for an employee called to active military duty. Such differential pay shall not exceed 90 calendar days and applies after exhaustion of the equivalent of three weeks of a regular work schedule ~~the 15 day paid military leave~~. The employee must furnish a copy of the call-to-duty order and proof of military pay and allowances. This differential pay does not apply to regular military obligations such as the annual encampment and training.

*University staff* or faculty on a 12-month appointment who voluntarily enters military service is granted military leave without pay until the end of the initial period of service, plus any period of additional service imposed by law. If the employee fails to return to the university after this period or voluntarily extends military service beyond the initial period, the employee is considered to have resigned.

**ADDITIONAL UPDATES TO SECTION 10 WERE IMPLEMENTED EFFECTIVE 02/01/2024 CLICK [HERE](#) TO VIEW**

# APS 5062-LEAVE

## Section 11: Parental Leave

**COMPLETE REWRITE (No Redline)**

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

- a. Time off options – programs run concurrently
  - i. FAMLI:
    - 1) Entitled to up to 12 weeks (480 hours) of FAMLI leave.
    - 2) Eligible for FAMLI beginning on first day of employment.
  - ii. FMLA:
    - 1) Entitled to up to 12 weeks (480 hours) of FML.
    - 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
  - 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. Sick leave:
    - 1) Allowed to supplement compensation and combine with FAMLI to provide an employee’s full compensation.
  - iii. Vacation:
    - 1) Allowed to supplement compensation and combine with FAMLI to provide an employee’s full compensation once sick leave is exhausted if employee earns vacation time.

B. Parental Leave Components

1. University Paid Parental Leave (PPL) Benefit Program

- a. The university grants 100% compensation for the first 6 weeks (240 hours) of parental leave to eligible employees (see section II.B.1.b). Paid parental leave will supplement FAMLI and PFML wages, not to exceed 100% of pay, and cannot be utilized without FAMLI unless FAMLI has been exhausted in the current year or for out-of-state employees.
  - i. Parental leave must be taken and completed within one year of the birth, adoption, foster care placement, or guardianship of a child. A department may require blocks of time (i.e. full shifts, days or weeks) for bonding and request the employee make a reasonable effort to schedule leave as not to unduly disrupt operations.
  - ii. There is no cash value for paid parental leave upon termination from the university and leave cannot be rolled forward for future use.
  - iii. University paid parental leave is calculated on the employee’s base salary only and is subject to taxes and withholdings.
  - iv. Eligible employees are only entitled to one paid parental leave period per year from the date the first paid parental leave begins.
  - v. University paid parental leave is not in addition to the State of Colorado Paid Family Medical Leave (PFML) program for classified staff.

b. Eligibility for University Paid Parental Leave Program

- i. A regular, non-temporary 12-month faculty member, university staff, or classified staff member must have a regular appointment of 50% or greater on the date of birth, adoption, foster care placement, or guardianship of a child to be eligible for paid parental leave.

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.

- i. 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.
- ii. Employees are eligible for job protection through FAMLI after 180 days of employment.
- iii. If FAMLI is utilized for a different condition in the same year, the amount allocated for the purposes of parental leave is reduced accordingly.
- iv. 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.

- i. If FMLA is utilized for a different condition in the same year, the amount allocated for the purposes of parental leave is reduced accordingly.
- ii. 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.

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](#)



**ADDITIONAL UPDATES RELATED TO SECTION 10: MILITARY LEAVE EFFECTIVE 02/01/2024**

**ADMINISTRATIVE POLICY STATEMENT**

**Policy Title:** Leave

**APS Number:** 5062

**APS Functional Area:** **HUMAN RESOURCES**

**Brief Description:** 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	<a href="#">Section 1</a>	April 2, 2020	University staff and faculty on 12-month appointments.
Sick	<a href="#">Section 2</a>	August 3, 2023	All employees.
Administrative	<a href="#">Section 3</a>	January 1, 2024	See Section 3 for details.
Bereavement	<a href="#">Section 4</a>	August 3, 2023	University staff and faculty on 12-month appointments.
Court and Jury	<a href="#">Section 5</a>	April 2, 2020	University staff and faculty on 12-month appointments.
Furloughs	<a href="#">Section 6</a>	April 2, 2020	All university employees.
Job-Related Illnesses and Injuries	<a href="#">Section 7</a>	April 2, 2020	University staff and faculty on 12-month appointments.
Leave Sharing	<a href="#">Section 8</a>	April 2, 2020	University staff, faculty on 12-month appointments and classified staff.
Leave Without Pay	<a href="#">Section 9</a>	April 2, 2020	All university employees.
Military	<a href="#">Section 10</a>	<del>January-February</del> 1, 2024	University staff and faculty on 12-month appointments.
Parental	<a href="#">Section 11</a>	January 1, 2024	All employees.
Paid Sick Leave During a Public Health Emergency	<a href="#">Section 12</a>	April 2, 2020	All university employees.
Faculty Serving in Elected Office	<a href="#">Section 13</a>	January 1, 2021	Faculty members on all campuses.

**Effective:** ~~January-February~~ 1, 2024 **(Pending)**

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

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

**Responsible Office:** Office of Employee Services

**Policy Contact:** Office of Employee Services

**Supersedes:** APS 5062-Leave, August 3, 2023 (effective dates may vary by section)

**Last Reviewed/Updated:** ~~January-February~~ 1, 2024 **(Pending)**

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

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

# APS 5062-LEAVE

## Policy Overview: Leave

### V. 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	<a href="#">Section 1</a>	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Sick	<a href="#">Section 2</a>	August 3, 2023	All employees.
Administrative	<a href="#">Section 3</a>	January 1, 2024	See Section 3 for details.
Bereavement	<a href="#">Section 4</a>	August 3, 2023	<i>University staff</i> and faculty on 12-month appointments.
Court and Jury	<a href="#">Section 5</a>	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Furloughs	<a href="#">Section 6</a>	April 2, 2020	All university employees.
Job-Related Illnesses and Injuries	<a href="#">Section 7</a>	April 2, 2020	<i>University staff</i> and faculty on 12-month appointments.
Leave Sharing	<a href="#">Section 8</a>	April 2, 2020	<i>University staff</i> , faculty on 12-month appointments and classified staff.
Leave Without Pay	<a href="#">Section 9</a>	April 2, 2020	All university employees.
Military	<a href="#">Section 10</a>	<del>January-February</del> 1, 2024	<i>University staff</i> and faculty on 12-month appointments.
Parental	<a href="#">Section 11</a>	January 1, 2024	All employees.
Paid Sick Leave During a Public Health Emergency	<a href="#">Section 12</a>	April 2, 2020	All university employees.
Faculty Serving in Elected Office	<a href="#">Section 13</a>	January 1, 2021	Faculty members on all campuses.

### VI. RELATED POLICIES AND OTHER RESOURCES

#### C. Administrative Policy Statements (APS) and Other Policies

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

#### D. 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>

### VII. 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.)

### VIII. HISTORY

- D. Effective April 2, 2020, the following policies were combined into the APS 5062-Leave policy. Individual APS history for each is listed below:

630  
631  
632  
633  
634  
635  
636  
637  
638  
639  
640  
641  
642  
643  
644  
645  
646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668

- 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.
- E. 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 \(Pending\)](#).
  - Last Reviewed: ~~January~~ [February 1, 2024 \(Pending\)](#).
- F. 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.

**APS 5062-LEAVE**

**Section 10: Military Leave**

**Applies to:** *University staff* and faculty on 12-month appointments.

**SECTION 10 – MILITARY LEAVE**

**II. POLICY STATEMENT**

**A. Reservist or National Guard**

Use of military leave shall be consistent with state and federal laws. Upon presentation of proper military orders, *university staff* or faculty on a 12-month appointment who is a reservist or member of the National Guard with the United States Military is granted up to ~~the equivalent of three weeks~~ 21 calendar days of a regular work schedule of paid leave (prorated for current appointment percent of time) per fiscal year with pay to attend training and/or active-duty service ordered. This leave is not charged to vacation leave.

If military service continues beyond 21 calendar days, ~~the equivalent of three weeks of a regular work schedule~~, the employee may utilize and exhaust their vacation leave. Once the employee exhausts vacation leave or chooses not to utilize vacation time, the employee will be placed on military leave without pay for any remaining period of required military service. An employee on military leave continues to accrue vacation and sick leave.

**B. Active Duty**

~~An appointing authority department head~~ may authorize pay equal to the difference between the employee’s university monthly pay and the sum of the monthly military pay and allowances for an employee called to active military duty. Such differential pay shall not exceed 90 calendar days and applies after exhaustion of the 21 calendar-day paid military leave ~~equivalent of three weeks of a regular work schedule~~. The employee must furnish a copy of the call-to-duty order and proof of military pay and allowances. This differential pay does not apply to regular military obligations such as the annual encampment and training.

*University staff* or faculty on a 12-month appointment who voluntarily enters military service are granted military leave without pay until the end of the initial period of service, plus any period of additional service imposed by law. If the employee fails to return to the university after this period or voluntarily extends military service beyond the initial period, the employee is considered to have resigned.