



Legislation Details (With Text)

File #: 22-0881 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 7/24/2022 **In control:** Finance & Governance Committee

On agenda: 8/22/2022 **Final action:** 8/22/2022

Title: A resolution declining participation in the Colorado “Paid Family and Medical Leave Insurance Act” pursuant to C.R.S. § 8-13.3-522(1).
Authorizes the City to decline employer participation in the State Family and Medical Leave Insurance Program (FAMLI) in favor of implementing a City administered alternative plan established through career service rules or respective collective bargaining agreements, effective 1-1-2023, citywide. The Committee approved filing this item at its meeting on 8-2-2022.

Sponsors:

Indexes: Mar'quasa Maes

Code sections:

Attachments: 1. RR22-0881 Ordinance Request Form - FAMLI, 2. City Council Ppt, 3. 22-0881 Filed Resolution_2022 Family Opt Out_08042022_RAM, 4. 22-0881 Filed Resolution_2022 Family Opt Out_08042022_RAM, 5. FAMLI 0881, 6. Support 22-0881, 7. 22-0881 - signed

Date	Ver.	Action By	Action	Result
8/22/2022	1	Council President	signed	
8/22/2022	1	City Council	adopted	Pass
8/2/2022	1	Finance & Governance Committee	approved for filing	Pass

OHR/CSA Request Template

Submitted By: Heather Britton

Date Submitted: 8-1-2022

**Requesting Agency: Office of Human Resources
Division:**

Subject Matter Expert Name: Heather Britton
Email Address: Heather.Britton@denvergov.org
Phone Number:

Item Title & Description:

(Do not delete the following instructions)

*These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney’s Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red “title” and “body” below. Do **not** at any time delete the red “title” or “body” markers from this template.*

A resolution declining participation in the Colorado “Paid Family and Medical Leave Insurance Act” pursuant to C.R.S. § 8-13.3-522(1).

Authorizes the City to decline employer participation in the State Family and Medical Leave Insurance Program (FAMLI) in favor of implementing a City administered alternative plan established through career service rules or respective collective bargaining agreements, effective 1-1-2023, citywide. The Committee approved filing this item at its meeting on 8-2-2022.

Affected Council District(s) or citywide? Citywide

Executive Summary with Rationale and Impact:

Detailed description of the item and why we are doing it. This can be a separate attachment.

In 2020, Colorado voters passed a new paid family leave insurance program, the Family and Medical Leave Insurance Program (FAMLI). More information about the law can be found [here <https://famli.colorado.gov/>](https://famli.colorado.gov/).

FAMLI requires employers and employees to pay a premium of 0.9% of the employees' wage beginning in 2023 with the benefit beginning on *January 1, 2024*. The premium would be split equally between the employer and employees. In exchange for the premium, employees would be entitled to a weekly \$1,100 maximum benefit for up to 12 weeks.

An analysis has shown that FAMLI will cost our employees and the City nearly \$10 million in 2023, with half that cost being absorbed by the City. Additionally, due to the maximum weekly benefit, provide less than a 70% wage replacement for 70% of City employees.

The law gives local governments the option to decline employer participation in FAMLI. Due to the cost and the inadequate coverage for our staff, the Office of Human Resources (OHR) suggests declining employer participation in the state's plan in favor of implementing a city administered alternative plan. The alternative plan would entitle employees to eight weeks or 320 hours of full salary replacement and would be called a 'care bank' and will be established through career service rules effective 1/1/23. Benefits for any collectively bargained groups will be addressed through their respective collective bargaining agreements.

FAMLI law requires a public hearing and vote of City Council to decline employer participation.

Type (choose one: Classification; Pay; Benefits; Rule Change; Other):

Benefits

Fiscal Impact:

Contract Amount (if applicable):

Draft Bill Attached?