

Colorado Family and Medical Leave (CO PFML)



Mandatory Notice Poster

Your employer has engaged Standard Insurance Company (The Standard) to administer your CO PFML benefits through a state-approved private plan. The Standard's plan provides benefits equal to or greater than benefits provided under the state-administered FAMLI plan, and will never cost employees more than coverage would cost under the state-administered plan.

Deductions from Employee Wages began January 1, 2023

- The employee share of CO PFML premiums is set at 0.45% of employee wages up to the Social Security Wage Base. For 2025 and beyond, the director of the FAMLI Division sets the premium rate according to a formula based on the monetary value of the fund each year. Employers with ten or more employees must also contribute an additional 0.45% of wages for a total of 0.9%, but employers with nine or fewer employees are only responsible for the 0.45% employee share.
- Employers are not required to deduct PFML contributions from employees' wages. However, starting in 2023, employers are allowed to deduct up to 0.45% from employees' wages for PFML contributions. For every \$100.00 an employee makes, an employer may deduct up to \$0.45.

Benefits start January 1, 2024

- Starting in 2024, Colorado Paid Family and Medical Leave (CO PFML) benefits are available to most Colorado employees (employees with services "localized" in CO, i.e. earning wages in CO).
- The qualifying conditions for paid family and medical leave are:
 - Caring for a new child during the first year after the birth, adoption, or foster care placement of that child.
 - Caring for a family member with a serious health condition.
 - Caring for employee's own serious health condition.
 - Making arrangements for a family member's military deployment.
 - Obtaining safe housing, care, and/or legal assistance in response to domestic violence, stalking, sexual assault, or sexual abuse.
- Covered employees are entitled to up to 12 weeks of PFML per year. Employees with serious health conditions caused by pregnancy complications or childbirth complications are entitled to up to 4 more weeks of PFML per year for a total of 16 weeks.
- Leave may be taken continuously, intermittently, or in the form of a reduced schedule.
- Leave will be paid at a rate of up to 90% of the employee's average weekly wage, based on a sliding scale. Employees may estimate their benefits by using the benefits calculator available at famli.colorado.gov.
- Employees don't have to work for their employer a minimum amount of time in order to qualify for paid family and medical leave benefits.
- If PFML leave is used for a reason that also qualifies as leave under the federal FMLA, then the leave will also count as FMLA leave used.
- Employees may choose to use sick leave or other paid time off before using PFML benefits, but they are not required to do so.
- Employers and employees may mutually agree to supplement PFML benefits with sick leave or other paid time off in order to provide full wage replacement.

Filing Claims

- Benefits will be available starting January 2024. Instructions on how to apply for benefits will be available by calling 866.756.8166, on Standard.com, or by requesting a paper application from your employer.
- Employees or their designated representatives apply for PFML benefits by submitting an application, along with required documentation, directly to The Standard. Employers cannot make employees apply for PFML benefits.
- Applications may be submitted in advance of the absence from work, and in some circumstances, they may be submitted after the absence has begun.
- Approved applications will be paid by the The Standard within two weeks after the claim is properly filed, and every week thereafter for the duration of the approved leave.
- Employees can appeal claim determinations directly with The Standard or with the FAMLI Division.
- Individuals who attempt to defraud the PFML program may be disqualified from receiving benefits.

Job protection and continued benefits

- Employers must maintain health care benefits for employees while they are on PFML leave, and both the employer and the employee remain responsible for paying for those benefits in the same amounts as before the leave began.
- An employee who has worked for the employer for at least 180 days is entitled to return to the same position, or an equivalent position, upon their return from PFML leave.

Retaliation, Discrimination, and Interference Prohibited

- Employers may not interfere with employees' rights under PFML, and may not discriminate or retaliate against them for exercising those rights.
- Employees who suffer retaliation, discrimination, or interference may file suit in court, or may file a complaint with the FAMLI Division.
- It is unlawful for an employer to count paid family and medical leave as an absence that may lead to or result in discipline, discharge, demotion, suspension, or any other adverse action.

Other Important Information

- An employer may offer a private plan that provides the same benefits as the state FAMLI plan, and imposes no additional costs or restrictions. Private plans must be approved by the FAMLI Division.
- Employees and employers are encouraged to report FAMLI violations to the FAMLI Division.
- The FAMLI Division Customer Care line can be reached at 1-866-263-2654, Monday-Friday from 8AM to 4PM, and their email is CDLE_FAMLI_info@state.co.us.



COLORADO
Family and Medical Leave
Insurance Program (FAMLI)
Department of Labor and Employment

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