

**TOWN OF EMPIRE
RESOLUTION NO. 22-19**

**A RESOLUTION OF THE TOWN OF EMPIRE, COLORADO DECLINING FULL
PARTICIPATION IN THE COLORADO STATE-RUN PAID FAMILY AND MEDICAL
LEAVE INSURANCE PROGRAM**

WHEREAS, in November of 2020, Colorado voters approved Proposition 118, which established a State-run Paid Family and Medical Leave Insurance program ("FAMLI"); and

WHEREAS, the State's purpose for creating the program is to ensure all Colorado workers have access to paid leave in order to take care of themselves or their family during life circumstances that pull them away from their jobs; and

WHEREAS, under FAMLI, employers and their employees are both responsible for funding the program and may split the cost 50/50; the premiums are set at 0.9% of the employee's wage, with 0.45% paid by the employer and 0.45% paid by the employee; and

WHEREAS, the premiums required for FAMLI will be collected starting January 1, 2023, and benefits will begin January 1, 2024; and

WHEREAS, as a local government, the Town of Empire (the "Town") may decline to participate in FAMLI following a public hearing and vote of its governing body; and

WHEREAS, should the Town decline to participate in FAMLI, Town employees will still have the option to participate in the program and remit premiums to the State; and

WHEREAS, the Town already provides and pays for short-term disability insurance coverage for its employees that exceeds the requirements of the state-run program; and

WHEREAS, at tonight's meeting, the Town Board of Trustees will hold a public hearing on the decision whether to participate in FAMLI; and

WHEREAS, Town Staff recommends that the Town Board of Trustees (i) decline participation in FAMLI, and (ii) decline to withhold and remit the employee share of premiums for Town employees who elect FAMLI coverage.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF EMPIRE, COLORADO AS FOLLOWS:

Section 1. Public Hearing. The Board of Trustees finds and determines that, with regard to the public hearing on the decision of whether to decline participation in FAMLI, notice was given and the hearing was conducted in accordance with the regulations adopted by the Colorado Department of Labor and Employment and codified at 7 CCR 1107-2.

Section 2. FAMLI Participation. The Board of Trustees, acting by and on behalf of the Town hereby declines full participation in FAMLI, to include declining to collect and remit employee premiums to the State for those employees who elect coverage under FAMLI. The Board of Trustees further directs Town staff to bring the matter of revisiting the decision to decline participation in FAMLI before a future Board of Trustees by no more than eight years from tonight's vote.

Section 3. This resolution shall take effect immediately upon adoption.

ADOPTED this 15th day of November 2022.


TOWN OF EMPIRE, COLORADO

BY:



Wendy Koch, Mayor

ATTEST:



Jeannette Piel, Town Clerk