
Colorado Paid Family Leave (COPFML / FAML I) Policy

Responsible office	Human Resources
Responsible party	Vice President for People and Workplace Culture
Last revision	January 2024
Approved by	Board of Trustees
Approval date	January 2024
Effective date	January 2024
Last review	January 2024
Additional references	Colorado Paid Family and Medical Leave Insurance Act, C.R.S. “§” Colo. Rev. Stat. § 8-13.3-501, Federal Family Medical Leave Act, Colorado Family Care Act, Colorado Healthy Families and Workplaces Act

Scope

All financial and administrative policies involving community members across campus, including volunteers, are within the scope of this policy. If there is a variance between departmental expectations and the common approach described through college policy, the college will look to the campus community, including volunteers, to support the spirit and the objectives of college policy. Unless specifically mentioned in a college policy, the college’s Board of Trustees are governed by their Bylaws.

Policy

Colorado Paid Family Leave (COPFML/FAML I)

Colorado requires most employers to provide paid family leave. The college meets this burden through a private plan that exceeds the benefits required by the state.

Colorado College may charge the employees up to .45% of gross pay to provide the COPFML benefit but the college will offer this as a benefit without cost to the employee.

All leave benefits for which an employee is eligible will be considered and run concurrently (FML, COPFML, short-term disability, etc.) when possible. Leave stacking is not allowed.

Eligibility

All CC employees (staff, faculty, and student workers) are eligible for COPFML upon hire (*the state requires that an employee be eligible after earning \$2,500*). The benefit for CC employees is 100% of their average weekly wage (*the state requires a percentage of pay based on gross pay that tops out at 90%*).

Beginning January 1, 2024, a covered employee has the right to take paid family and medical leave for the following reasons (*and see definitions at bottom*):

- For the care of a newborn, adopted child, or fostered child;
- To care for a family member with a serious health condition;
- For the employee's own serious health condition;
- For qualifying exigency leave;
- To address safety needs or the impact of domestic violence and/or sexual assault.

Length of Leave

Employees may be granted COPFML for a period of up to 12 weeks per year (a 12-month period measured backward from the date leave was last used). Leave may be extended to a maximum of 16 weeks in cases of childbirth complications.

Benefits during COPFML leave

Employees on approved COPFML will receive the same benefits during the leave they received before the leave.

Return from leave

An employee returning from CO PFML due to their own medical condition must provide a note from their medical provider releasing them to full or restricted duty. If restricted, the medical provider's note must clearly identify any restrictions the employee may have so it can be reviewed for potential accommodations.

Employee Rights Protected

Colorado College will not take retaliatory personnel actions or discriminate against an employee or former employee because the person exercised, attempted to exercise, or supported the exercise of rights protected under the Colorado Paid Family and Medical Insurance Act.

Procedures

Colorado College uses The Hartford, a contracted third-party service, to assist with the processing, determination, and reconciliation of COPFML requests. Employees should request COPFML (as well as FML, short-term disability, and long-term disability, all of which run concurrently) from:

The Hartford (for claims and questions):
888-301-5615 (hours 6AM-6PM Mountain Time)
<https://abilityadvantage.thehartford.com>

Action	By Whom	Time period
Notify your supervisor and request COPFML leave as soon as you become aware of need for leave (30 days before leave if possible)	Employee notifies supervisor and calls The Hartford at 888-301-5615 (M-F; 6-6 MT)	When need is known – within 30 days of leave if possible
The Hartford will advise of any documentation required	The Hartford identifies documentation required	Within 5 business days or receipt of request
Employee returns required documentation to The Hartford	Employee and Employee’s medical provider	Within 15 business days of receipt of request from Hartford
The Hartford prepares notification of acceptance/denial	The Hartford	Within 5 business days of receipt of documentation

Employee shall communicate with supervisor (or in case of faculty, department chair) when the need for leave is known so the supervisor can plan to cover the employee’s absence.

Employees shall exhaust all appropriate paid leave before requesting/using unpaid leave.

Recording Leave

Employee’s full pay will continue while they are on a continuous approved leave and staff/student employees log the time on their timesheet/leave report under COPFML. Hourly staff/student employees log time in 15-minute increments and exempt employees log time in 1-hour increments. Faculty employees do not log time missed for approved COPFML but work with their department chair to note time away.

All eligible leaves run concurrently (COPFML, FML, Short-term Disability, etc.) for all absences approved by The Hartford, to the extent they are available. Leave approved under Workers’ Compensation will run concurrently with FML.

Appeals

If you believe your leave denial is unjustified, you may appeal. You will receive information on the process to appeal to The Hartford when any claim is denied. You may also appeal your claim to the Colorado Department of Labor and Employment, FAML division by completing and submitting this form: Employees who want to appeal a determination from a private plan administrator, may [submit the following form](#).

Definitions

Family member

- Regardless of age, a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child to whom the covered individual stands in loco parentis, or a person to whom the covered individual stood in loco parentis when the person was a minor;
 - In loco parentis – a relationship in which a person puts themselves in the situation of a parent by assuming and discharging the obligations of a parent to a child;
- A biological, adoptive, or foster parent, stepparent, or legal guardian of a covered individual or covered individual's spouse or domestic partner or a person who stood in loco parentis when the covered individual or covered individual's spouse or domestic partner was a minor child;
- A person to whom the covered individual is legally married under the laws of any state, or a domestic partner of a covered individual as defined in section 24-50-603(6.5);
- A grandparent, grandchild, or sibling (whether a biological, foster, adoptive or step relationship) of the covered individual or covered individual's spouse or domestic partner; or,
- As shown by the covered individual, any other individual with whom the covered individual has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship.

Leave for Birth, Adoption, or Foster Care

Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement. Employees may take COPFML leave before the actual placement or adoption of a child if the absence is required for the adoption or foster placement to proceed.

Safe Leave

Leave because the employee or the employee's family member is the victim of domestic violence, the victim of stalking, or the victim of sexual assault or abuse. Safe leave applies if the employee is using the leave from work to protect themselves or their family member by:

- Seeking a civil protection order to prevent domestic violence;
- Obtaining medical care or mental health counseling or both for themselves or for their children to address physical or psychological injuries resulting from the act of domestic violence, stalking, or sexual assault or abuse;
- Making their home secure from the perpetrator of the act of domestic violence, stalking, or sexual assault or abuse, or seeking new housing to escape said perpetrator; or,

- Seeking legal assistance to address issues arising from the act of domestic violence, stalking, or sexual assault or abuse, or attending and preparing for court-related proceedings arising from said act or crime.

Exigency Leave

Leave based on a need arising out of a family member's active duty service or notice of an impending call or order to active duty in the armed forces, including, but not limited to, providing for the care or other needs of the military member's child or other family member, making financial or legal arrangements for the military member, attending counseling, attending military events or ceremonies, spending time with the military member during a rest and recuperation leave or following return from deployment, or making arrangements following the death of the military member.

Related Policies

[Link to FML policy](#)

[Link to Health & Safety Leave \(Sick Leave\) Policy](#)