



Attention Labor & Employment Council:

This week, the Colorado Department of Labor & Employment held a stakeholder meeting to discuss next steps on the Family & Medical Leave Insurance Program (FAMLI) [rulemaking and implementation process](#). The FAMLI ballot initiative known as Proposition 118 passed during the November 2020 election since legislation had failed during the prior six years it had been introduced.

The Department has released the [first set of proposed rules](#) which address the employer/employee premiums and how such premiums are determined based on wage definitions, interpretation of the “locality” of the CO employee, and clarifying exemptions for the size of the employer required to pay premiums.

The Colorado Chamber has [submitted comments](#) to the Department based on feedback it received from its members. The feedback includes concerns and the need for clarification on qualifying wage expanded definitions, localization of employees for determining premiums to be paid, employer size for exemptions to the premium payment, and determination of employer/employee share of premiums through “employer” definitions.

Timeline on proposed rule:

- September 2nd: Public comments are due
- September 30th: Deadline for Division to submit proposed rules to the Secretary of State
- October 10th: Notice of Rules will be published in the Colorado Register
- November 10th: Deadline for formal hearing on rules
- January 1, 2022: Final premium rule to be in place

Senator Winter and Representative Gray, sponsors of previous FAMLI legislative attempts, assured stakeholders during the meeting that NO substantive legislation on Prop 118 will be introduced in the 2022 legislative session. The only exception to this would be if there is federal paid family and medical leave legislation that passes before the end of Colorado’s 2022 legislative session that would require aligning with any federal requirements, primarily around waivers in order to obtain federal funding to assist with premiums. The Division also stated that they are not seeking any legislation in 2022 and will be primarily focused on rulemaking, which will likely take place over the next year.

Next steps:

The next set of draft rules that will be open to stakeholder engagement will concern local government opt-in process and the private plans exemption.

Please contact Loren Furman at lurman@cochamber.com or Larry Hudson at larry@hudsonga.com with any questions/concerns regarding this matter.

Colorado Chamber of Commerce
www.cochamber.com
P: (303) 831-7411
F: (303) 860-1439

FOR BUSINESS.
FOR COLORADO.
FOR TOMORROW.



Colorado Chamber of Commerce | 1600 Broadway, Suite 1000, Denver, CO 80202

[Unsubscribe {recipient's email}](#).

[Update Profile](#) | [Constant Contact Data Notice](#)

Sent by lmoss@cochamber.com powered by



Try email marketing for free today!