

RESOLUTION NO. 22-32

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CASTLE PINES, COLORADO OPTING OUT OF THE COLORADO
PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM**

WHEREAS, in November 2020, Colorado voters approved Proposition 118 to create the Paid Family and Medical Leave Insurance ("FAMLI") Program; and

WHEREAS, the FAMLI Program requires employers to remit to the FAMLI Division premiums in the form of 0.9% of all employee wages beginning January 1, 2023, and allows employers to require that employees pay for one-half of this premium; and

WHEREAS, the FAMLI Program allows local governments to decline to participate in the program while at time allowing city employees to individually opt into the program; and

WHEREAS, the City of Castle Pines (the "City") already provides paid time off to full-time regular employees in the form of vacation leave, sick leave, and personal leave totaling at least one hundred and ninety-two (192) hours annually, and unused vacation leave, and sick leave balances are carried forward to the following year subject to policy limits; and

WHEREAS, the City also maintains short-term disability insurance and long-term disability insurance that will compensate full-time regular employees who are unable to work because of sickness or injury; and

WHEREAS, certain employees of the City are also eligible for job-protected leave under the federal Family and Medical Leave Act ("FMLA"); and

WHEREAS, the City believes that employees are in the best position to determine whether they individually wish to opt into the FAMLI Program; and

WHEREAS, pursuant to 7 CCR 1107-2 §2.6(A)(2), the City posted notice of the meeting at which this Resolution was considered in the same manner as any other business before Council and additionally provided written notice to all City employees regarding the vote process and the opportunity to submit comments; and

WHEREAS, City employees were notified of their right to individually opt into the program under C.R.S. § 8-13.3-514 and that more information for the FAMLI Program can be found at <https://famli.colorado.gov/>; and

WHEREAS, prior to consideration of this Resolution, the City Council read into the record any written comments regarding this Resolution received prior to the meeting and oral comments at the meeting; and

WHEREAS, the City Council has determined that declining to participate in the FAMLI Program is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, THAT:

Section 1. Declination to Participate in FAMLI Program. The City Council hereby declines to participate in the Colorado Paid Family and Medical Leave Insurance ("FAMLI") Program.

Section 2. Finance/Human Resources Director. The City Council directs the Finance/Human Resources Director to notify the FAMLI Division of this decision.

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

[Remainder of this page left intentionally blank.]

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES by a vote of 5 in favor and 0 against this 28th day of June, 2022.



DocuSigned by:
Tracy Engerman
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Tracy Engerman, Mayor

ATTEST:

DocuSigned by:
Tobi Duffey
AD03A2B03032400...
Tobi Duffey, CMC, City Clerk

APPROVED AS TO FORM:

DocuSigned by:
Linda C. Michow
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Linda C. Michow, City Attorney