



FREQUENTLY ASKED QUESTIONS

REGARDING PAID SICK LEAVE

Colorado – Healthy Families and Workplaces Act (HFWA)

▪ What is this?

- Colorado's sick leave Act, HFWA begins January 1, 2024. This new Act provides paid leave for the following reasons:
 - Mental or physical illness or injury, including diagnosis and treatment
 - Preventive medical care
 - Reasons related to domestic abuse, sexual assault, or harassment
 - Deal with a workplace closure or the closure of a child's school or place of care during a public health emergency
 - Take bereavement or deal with financial or legal needs after the death of a family member
 - Evacuate their residence or care for a family member whose school or place of care was closed in the event of inclement weather; power, heat, or water loss; or another unexpected event.

▪ What makes you eligible as an Employer?

- The Paid Sick Leave Act applies to all Colorado employers.

▪ Does the Act apply to part-time employees, or just full-time employees?

- The act doesn't distinguish between part-time, full-time, or seasonal employees. Both full-time and part-time employees are covered by this Act. Employees who work fewer hours may accrue less leave time compared to full-time employees.

▪ What can employees use this time for?

- Employees can use their paid leave for the above reasons without providing documentation. If an employee is out for 4 or more consecutive days, they can require reasonable documentation upon return.

▪ How does an employee earn time?

- The accrual rate is one hour of paid leave for every 30 hours worked. With a maximum of 48 hours accrued per year and can only use 48 hours in a year.

▪ Does time carry from one year to the next?

- Employees can carry over up to 48 hours from year to year, but the maximum they can have will remain 48 hours and they cannot earn over that or use over that in a year.
- **When does an employee start earning time?**
 - Current employees as of 1/1/2024, start earning time as of that date. New employees start earning as of their date of hire.
- **When can an employee use leave time?**
 - Employees can use leave time as soon as it has been earned (example: after working 30 hours, you can use the one hour you earned next payroll).
- **Who pays for leave time when used?**
 - Employees who use leave time are paid through the Veterans budget, due to this being an expense of being an employer within the State of Colorado.
 - Employees will submit a timesheet to ARIS when claiming time, it is not the standard timesheet for hours worked. Allowing it to stand out when processing.
- **Are employees required to sign anything agreeing to hours they will earn?**
 - Yes, current employees will be mailed a confirmation of receipt regarding the paid leave accrual which will be stored with their employee documents at ARIS.
 - New employees will sign this form when completing the employee enrollment forms for ARIS.
- **How would an employee know how many hours they have in leave time?**
 - Earned leave time will be included in the pay stub the employee receives from ARIS.
 - Or they can call ARIS and ask.
- **If an employee leaves employment or is terminated, do they receive pay for earned time?**
 - No, upon leaving employment an employee will not be paid for unused leave time.
- **What if an employee leaves and is rehired?**
 - If the employee is rehired within 6 months of separation by the same employer, any previously earned leave time that was not used is reinstated to the employee.

- **What hourly rate are employees paid when using leave time?**
 - Employees must be paid at their current hourly rate when using leave time.
- **Do Employers need anything posted?**
 - Yes, employers must post the Colorado “PAID LEAVE, WHISTLEBLOWING, & PROTECTIVE EQUIPMENT” poster in a conspicuous place on site. (ARIS will mail this to all Colorado based employers, or they can be printed from <https://cdle.colorado.gov/sites/cdle/files>)
- **Can employers deny leave?**
 - No, an employer cannot deny leave time.
 - An employer can have a written policy that contains reasonable procedures for the employee to provide notice when the use of leave is a foreseeable circumstance.
 - Employers cannot retaliate against an employee for requesting or using paid leave and the employee has the right to file a complaint or bring civil action against an employer in the event this occurs.
- **Can an employer require an employee to find coverage during leave?**
 - No, employers cannot require employees to find coverage upon taking leave time.