



**Fitting In: Integrating State PFML Programs with Other Benefits**

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Colorado Family And Medical Leave (FAMLI) Division  
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**Polling Question**

How do you let employees know about leave benefits such as short-term disability, PFML or FMLA?

- A. During employee onboarding and orientation
- B. When they ask for leave
- C. Through employee newsletters/emails
- D. Posters in the office/break room
- E. Other



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**Employers are vital in sorting the leave puzzle**



- 54% of employers say there is no easy way to manage all types of leave.
- A single leave intake that automatically triggers all the benefits an employee may qualify for reduces administrative complexity.
- Leave coordination allows employers to focus on prevention and effective return-to-work strategies.



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## Three steps to begin

- Understand that more than one law may apply to a given situation (federal, state and municipal laws may apply, and the laws may apply to different situations).
- Establish a corporate culture that actively seeks to achieve the objectives of the statutes and policies rather than to circumvent them.
- Communicate the legal requirements and decision process for differing types of leave to all employees — from the C-suite to the newest hire.




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## Know the biggies



- FMLA
- ADA
- Workers comp
- STD
- USERRA
- State PFML



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## FMLA

- Federal law passed in 1993
- Required at most workplaces with 50+ employees
- Up to 12 weeks in most cases
- No wage replacement
- Includes job protection
- Coverage may vary based on hours worked the previous year
- Eligibility determined by employers

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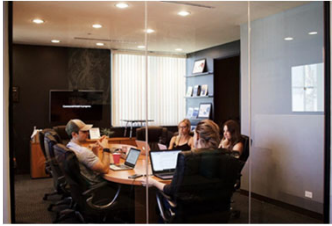
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# ADA

- Federal law passed in 1990
- Leave time not required – but may be considered a “reasonable accommodation”
- No pre-determined duration of leave time
- No wage replacement
- No length of employment requirement



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# Workers' compensation

- Mandated by states
- Includes wage replacement
- Applies only to injuries on the job
- No qualifying period to receive benefits
- May run concurrently with FMLA (with employer notice)



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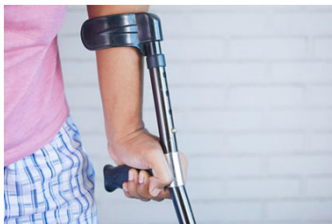
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# Short-term disability

- Not federally mandated
- Required in 5 states
- Otherwise available only when employer offers
- Leave and wage replacement depends on the design on the plan
- Workplace injuries excluded
- Runs concurrently with FMLA



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# USERRA

- Federal law passed in 1994
- Servicemembers only
- Required of employers of any size
- Leave is unpaid
- No qualifying period to receive benefits
- Reinstatement rules similar to FMLA



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# States with PFML programs

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|---------------|---------------|
| Arkansas *    | New Hampshire |
| California    | New Jersey    |
| Colorado      | New York      |
| Connecticut   | Oregon        |
| Delaware      | Rhode Island  |
| DC            | Tennessee *   |
| Maine         | Virginia *    |
| Massachusetts | Vermont *     |
| Maryland      | Washington    |
| Minnesota     |               |



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# Your employees need you!



- Enhance the employee experience
- Advance your Absence Management strategy
- Control costs, reduce risk and make overseeing employee absence as pain-free as possible

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### A look at Colorado: Implementation Timeline

- January 1, 2023**  
Employers begin payroll deductions
- April 30, 2023**  
First quarterly premium payments and wage reports due to the FAMLI Division (15-day grace period)
- January 1, 2024**  
Covered workers can begin submitting requests for FAMLI leave



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### 2023 Colorado FAMLI Milestones

- Q1 2023**  
Private Plan Marketplace Opens
- April 30, 2023**  
First quarterly premium payments and wage reports due
- August 2023**  
Registration Opens for Health Care Providers
- October 31, 2023**  
Deadline for Private Plan Applications
- Nov - Dec 2023**  
My FAMLI Launches, Drafts Applications
- January 1, 2024**  
Approved leave request and payments begin



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### Strategic Communications and Outreach

- Presentations to community organizations and business associations
- Monthly compliance webinars with live Q&As
- Regional town hall series across the state
- Providing community organizations and business associations a marketing toolkit for them to share
- Paid advertising: broadcast, outdoor digital, social media, search
- Facebook Live Q&A sessions

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## A look at Colorado


An Employer's Guide to FAMLI



2023 EMPLOYEE HANDBOOK TO FAMLI



2023 FMLA Program Notice



Employer Guide to Private Plans





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## A look at Colorado

### Differences between FAMLI and FMLA

Colorado law approved by voters in 2020	Federal law approved by Congress in 1993
Required of most employers with at least one Colorado employee	Required of most employers with 50+ employees
Includes partial wage replacement based on prior year's wages	Includes wage replacement
Includes job protection after 182 days	Includes job protection
Eligibility determined by CO state provision	Coverage may vary based on hours worked the previous year
Can be used in conjunction with FMLA	Eligibility determined by employers
	Can be used in conjunction with FAMLI



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## Fitting it all together helps employers



- Monitor leaves of absence continually to determine the appropriate time to terminate a leave of absence in a particular situation.
- Scrutinize the effectiveness of leave practices on an ongoing basis to determine better ways to deal with future leave situations.
- Gather and analyze data that can be used to improve management of absences in the future.



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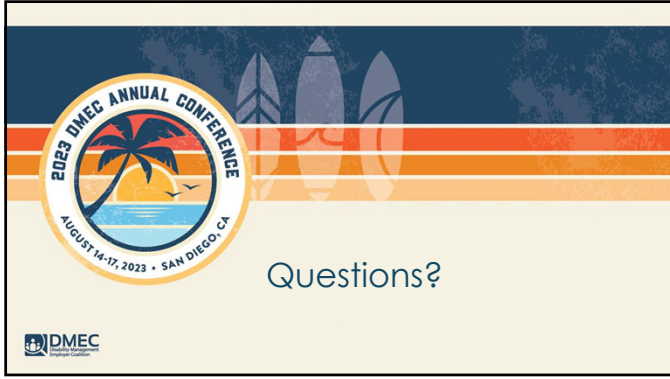
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