# QUESTIONS?

DIAL: 833-305-1729

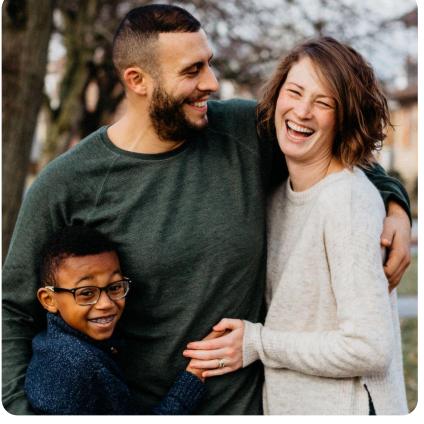
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# Colorado's Paid Family and Medical Leave Insurance (FAMLI) Program

FAMLI.Colorado.gov





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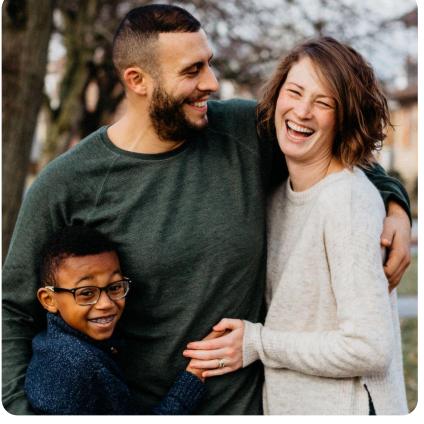
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# Agenda

- What is FAMLI
- Upcoming Deadline
- My FAMLI+ Employer
- Timeline
- Private Plans
- Tools for TPAs
- Health CareProviders
- Public Hearing
- Questions

#### What is FAMLI?

Colorado's Family and Medical Leave Insurance (FAMLI) program will ensure Colorado workers have access to paid leave during certain life events. The FAMLI program is a social insurance program with both employers and employees contributing to the fund that will eventually pay out benefits.

Colorado's FAMLI program will have capacity to cover most workers, including self-employed individuals and independent contractors.

The premiums are set to 0.9% (through 2024) of the employee's wage, with 0.45% paid by the employer and 0.45% paid by the employee.

The FAMLI premium rate is statutorily capped at 1.20%.







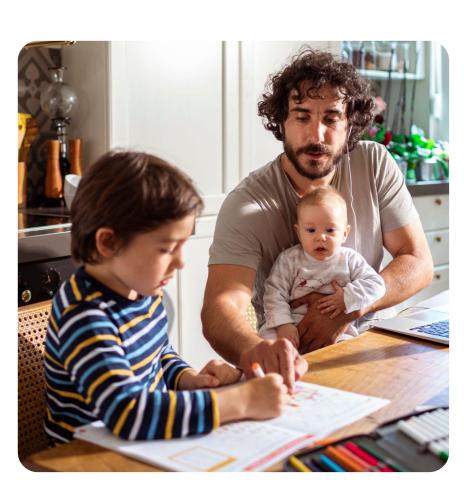


# It's go time!

Employers with even a single Colorado employee need to register and submit wage reports and premiums for Q1 of 2023 by **April 30**.

Even businesses too small to owe the employer portion must register and submit the 0.45% of wages owed by their employees.

(The FAMLI Division has extended a grace period until **May 31** to help Colorado employers adapt to the new system. This is reflected in My FAMLI+ Employer.)

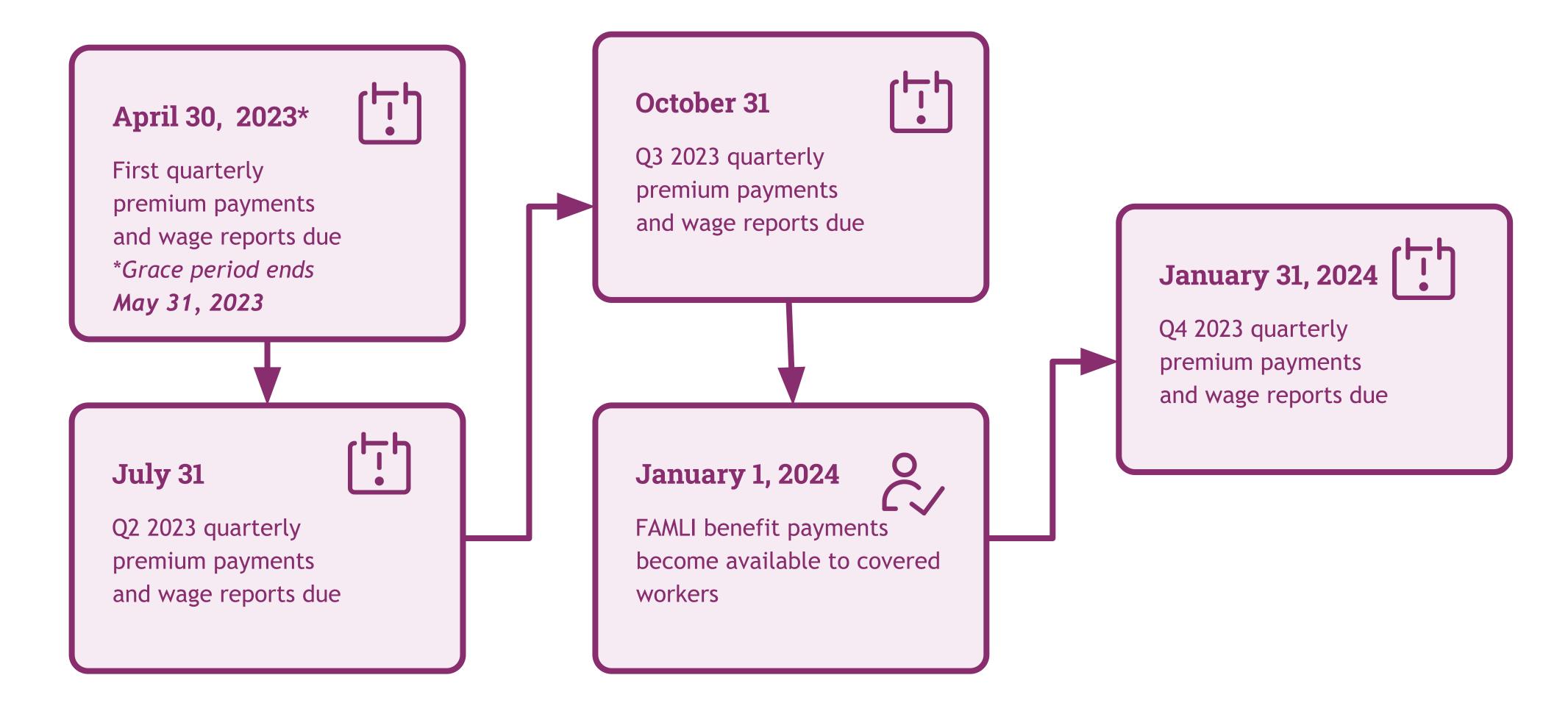








#### FAMLI Timeline



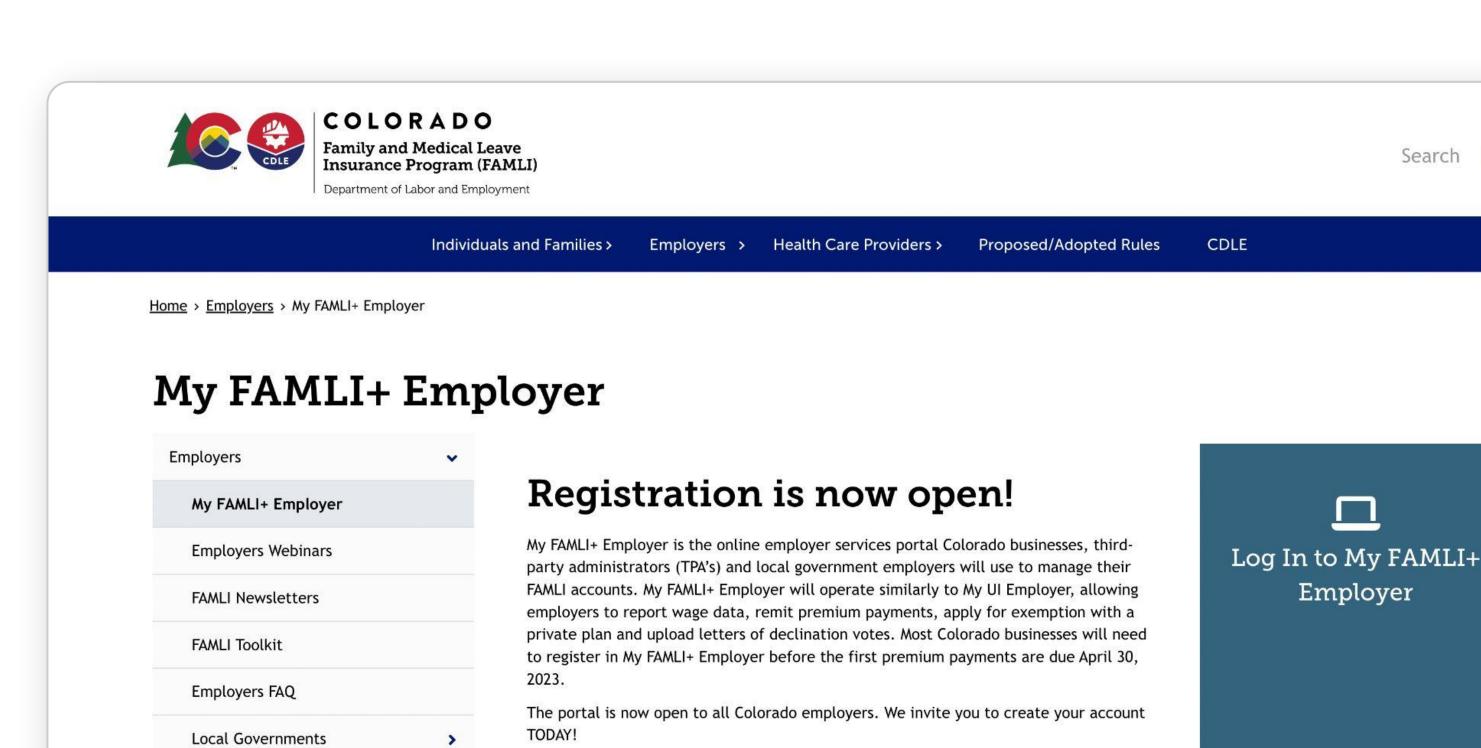


#### My FAMLI+ **Employer**

Find My FAMLI+ Employer on famli.colorado.gov

#### Tools:

- Step-by-step instructions
- How-to videos
- Quick Reference Guides



Third Party Administrators (TPAs)





Search Q



### Private Plans: Pending Carriers

**Standard Insurance Company** 

Life Insurance Company of North America

**Unum Insurance Company** 

ShelterPoint Life Insurance Company

United of Omaha Life Insurance Company

The Guardian Life Insurance Company of America

The Lincoln National Life Insurance Company

Lincoln Life & Annuity Company of New York Reliance Standard Life Insurance Company

American Fidelity Assurance Company

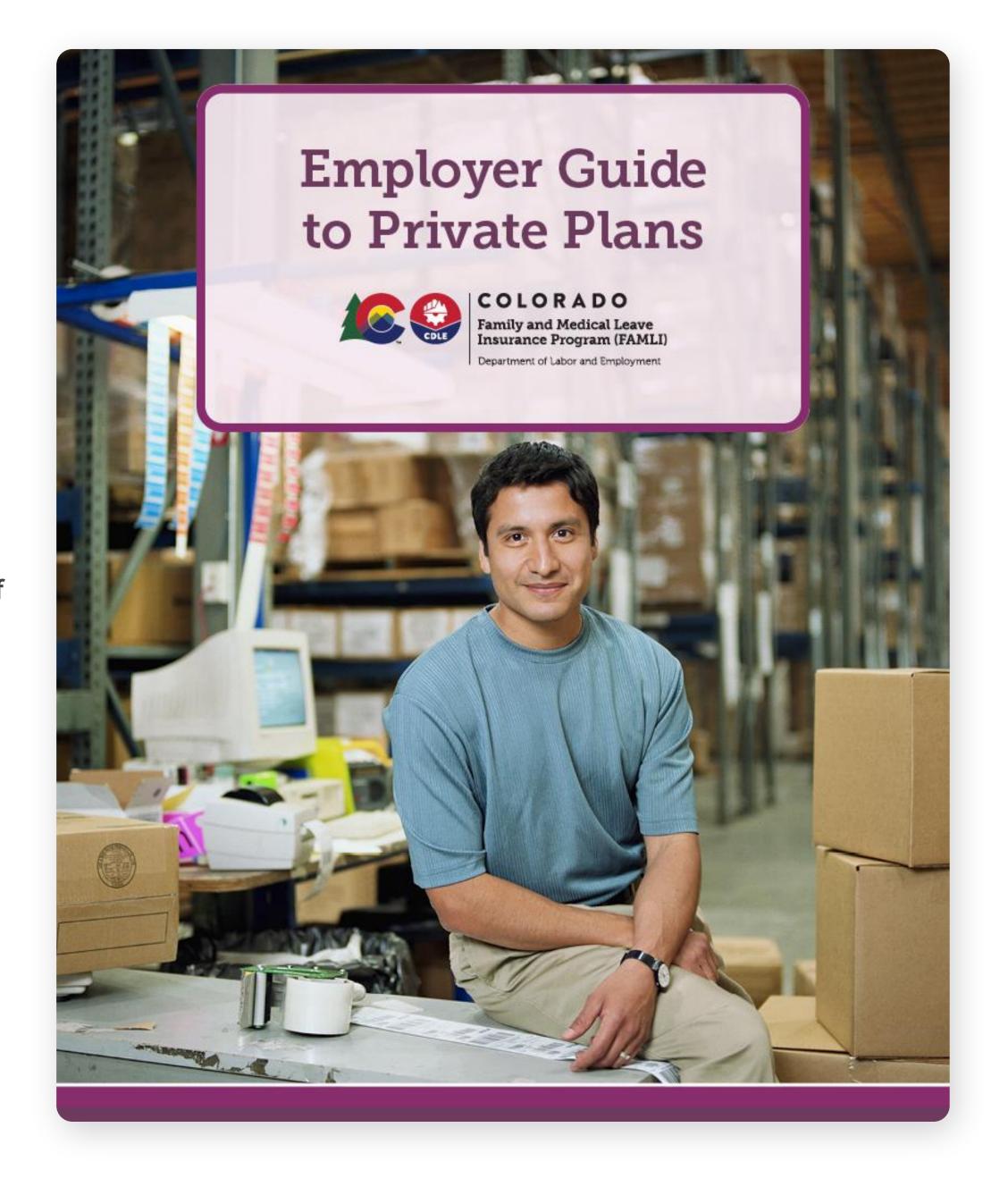
Metropolitan Life Insurance Company

Sun Life Assurance Company of Canada

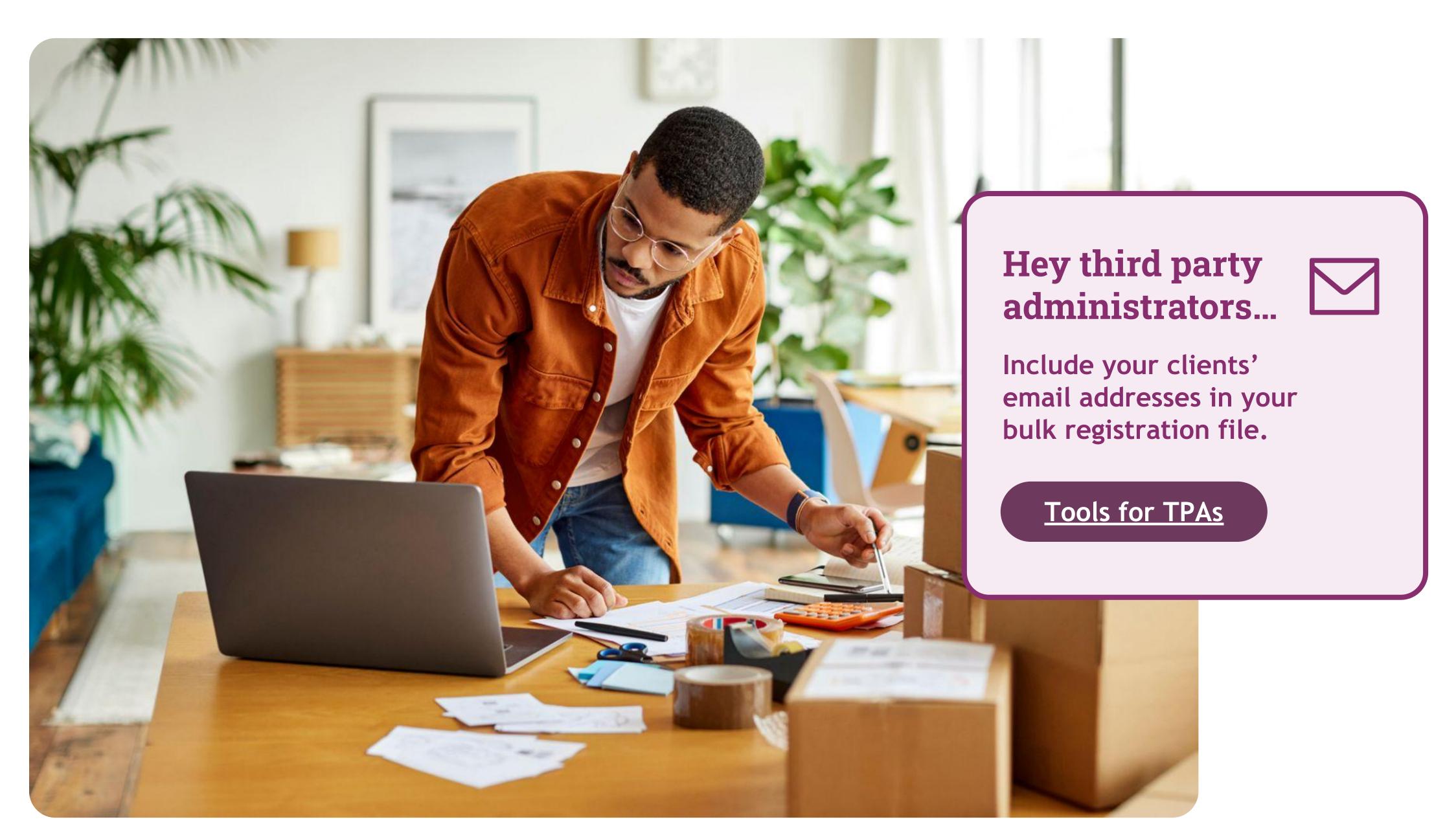
Principal Life Insurance Company

Prudential Insurance Company of America

**Arch Insurance Company** 









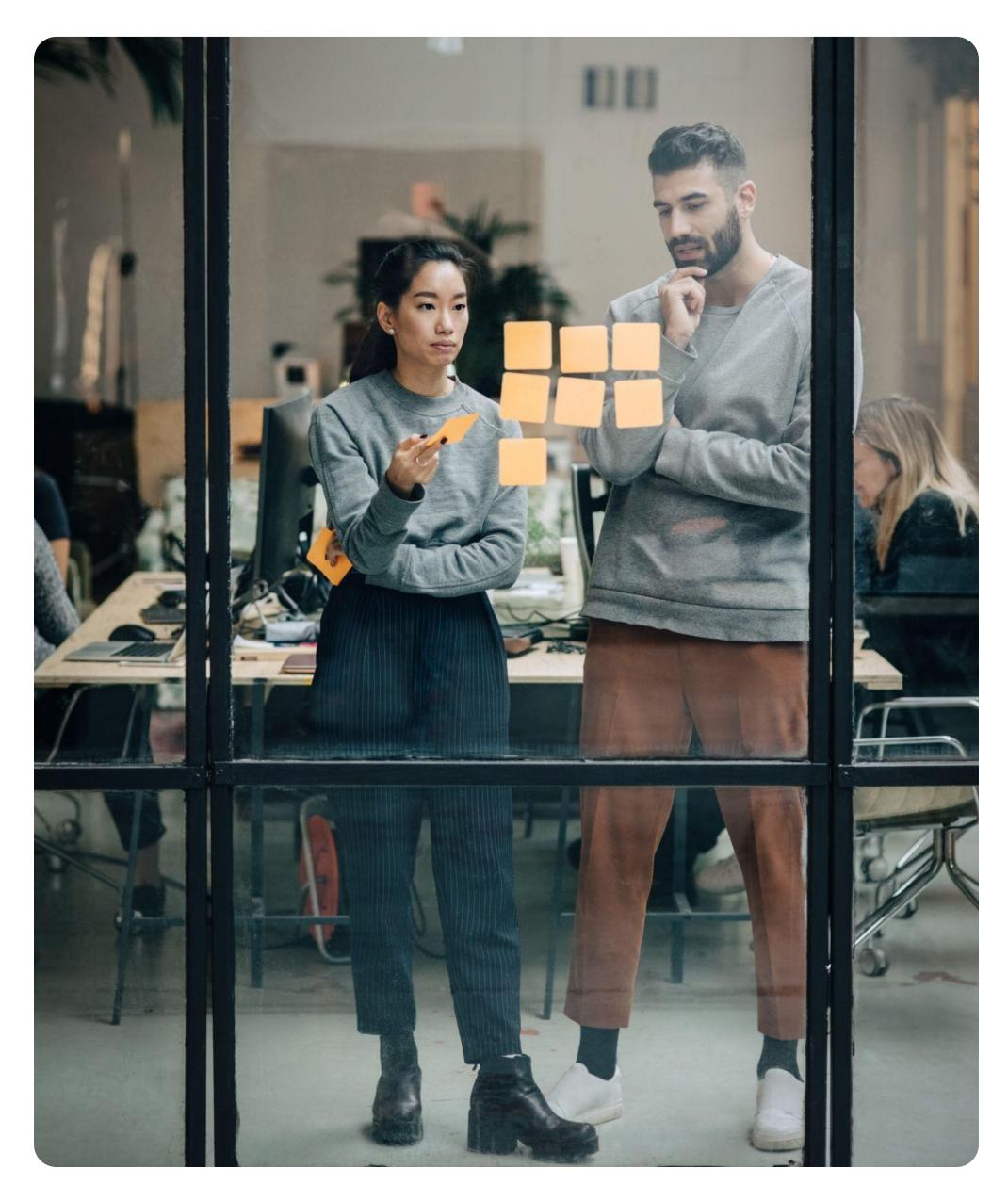


Registration for Health Care Providers

- Provide an elevated patient experience
- Reduce paperwork

 Subscribe here to get updates related to our health care provider portal as soon as they are available.





### NEW!

The FAMLI Division filed the following proposed <u>rules</u> with the Secretary of State and the Department of Regulatory Agencies (DORA) on April 14, 2023:

- Regulations Concerning Program Integrity (7 CCR 1107-6)
- Coordination of Benefits and Reimbursement of Advanced Payments (7 CCR 1107-4)
- Investigations, Determinations, and Appeals (7 CCR 1107-8)
- Job Protection, Anti-retaliation, and Anti-interference (7 CCR 1107-7)

The proposed rules are also published here on our website

#### PUBLIC HEARING

May 15 | 5 p.m.

Register here



# Get all the latest updates by subscribing to our newsletter!

Get monthly FAMLI news delivered to your inbox:

sign up here.







# We want to hear from you!

We want to build a FAMLI program that is fair and meets the needs of both employers and workers.



WEBSITE

FAMLI.Colorado.gov



EMAIL

cdle\_famli\_info@state.co.us



SOCIAL MEDIA

@ColoradoFAMLI



PHONE

1-866-CO-FAMLI (1-866-263-2654)

Monday - Friday 8 A.M. - 4 P.M.

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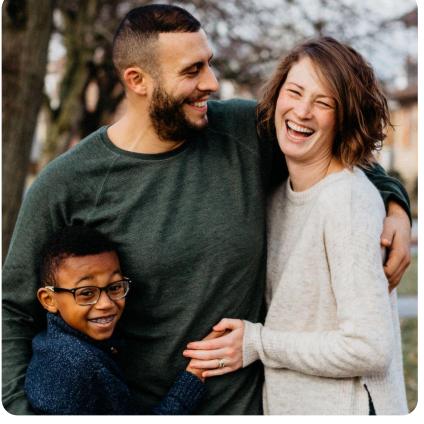
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#### Counting Your Employees for FAMLI





All employees who work **20 or more weeks** during the previous calendar year, even if they only work one day a week, need to be counted towards the employer's total headcount.

Any employee who works **fewer than 20 weeks** during the previous calendar year will not count as an employee when determining the employer's total headcount.



#### Counting Your Remote Employees for FAMLI



Who counts toward the company's total number of employees if some employees work outside of Colorado?

If the total number of employees, including those working outside Colorado is 10 or greater, the employer is responsible for sending the full 0.9% premium (0.45% from employees and 0.45% from the employer) along with wage reports for its Colorado employees to the Division once a quarter.

- □ Total remote employees outside Colorado 9
- Employer is required to pay and remit the full0.9% premium for its 3 Colorado employees.



#### Counting Nationwide Employees for FAMLI



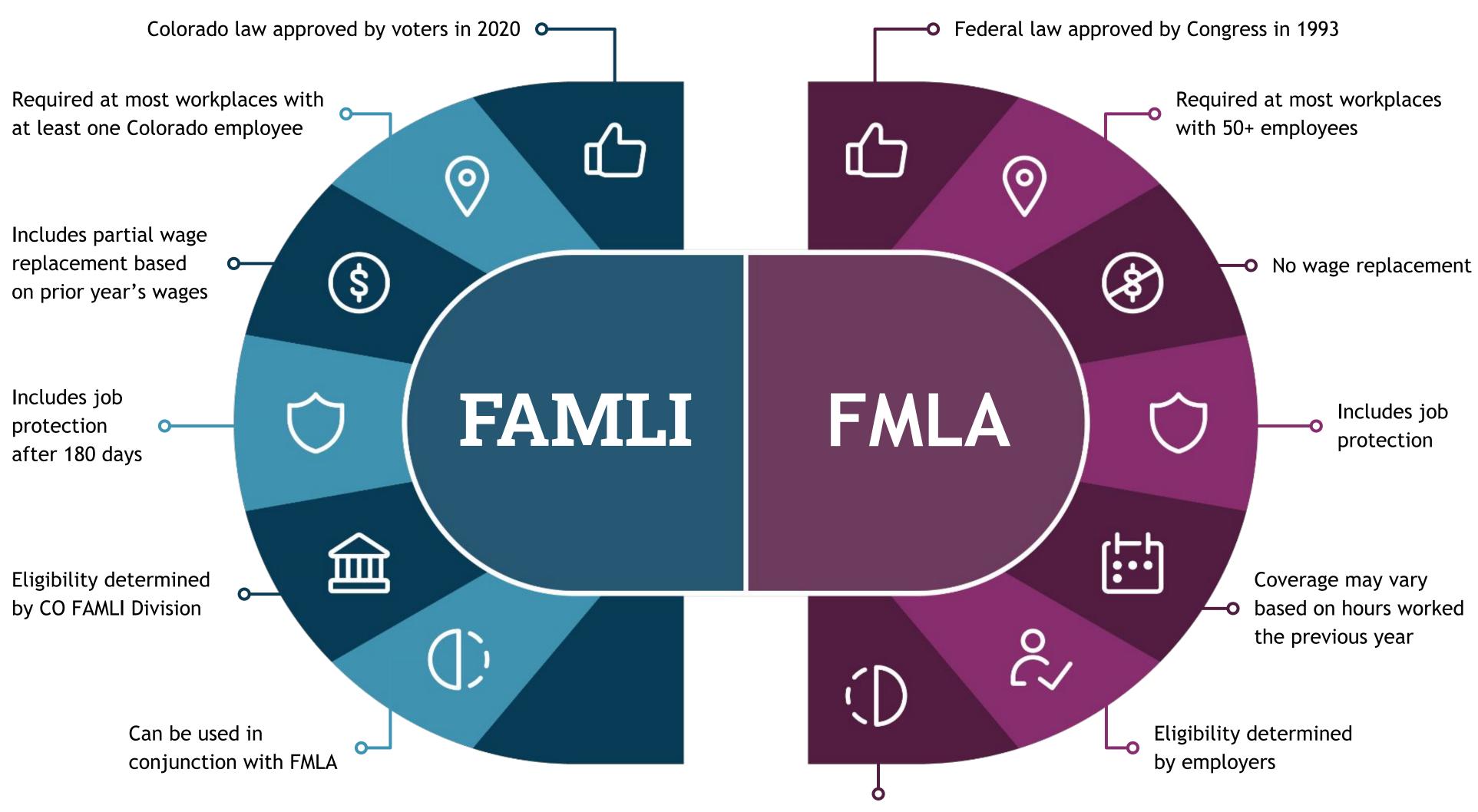
Who counts toward the company's total number of employees if the employer is based outside of Colorado?

If the total number of employees working for the company nationwide is 10 or greater, the employer is responsible for sending the full 0.9% premium (0.45% from employees and 0.45% from the employer) along with wage reports for its Colorado employees to the Division once a quarter.

- ⇒ Total nationwide employees 15+
- Colorado employees 8
- Employer is required to pay and remit the full0.9% premium for its 8 Colorado employees.



#### Differences between FAMLI and FMLA



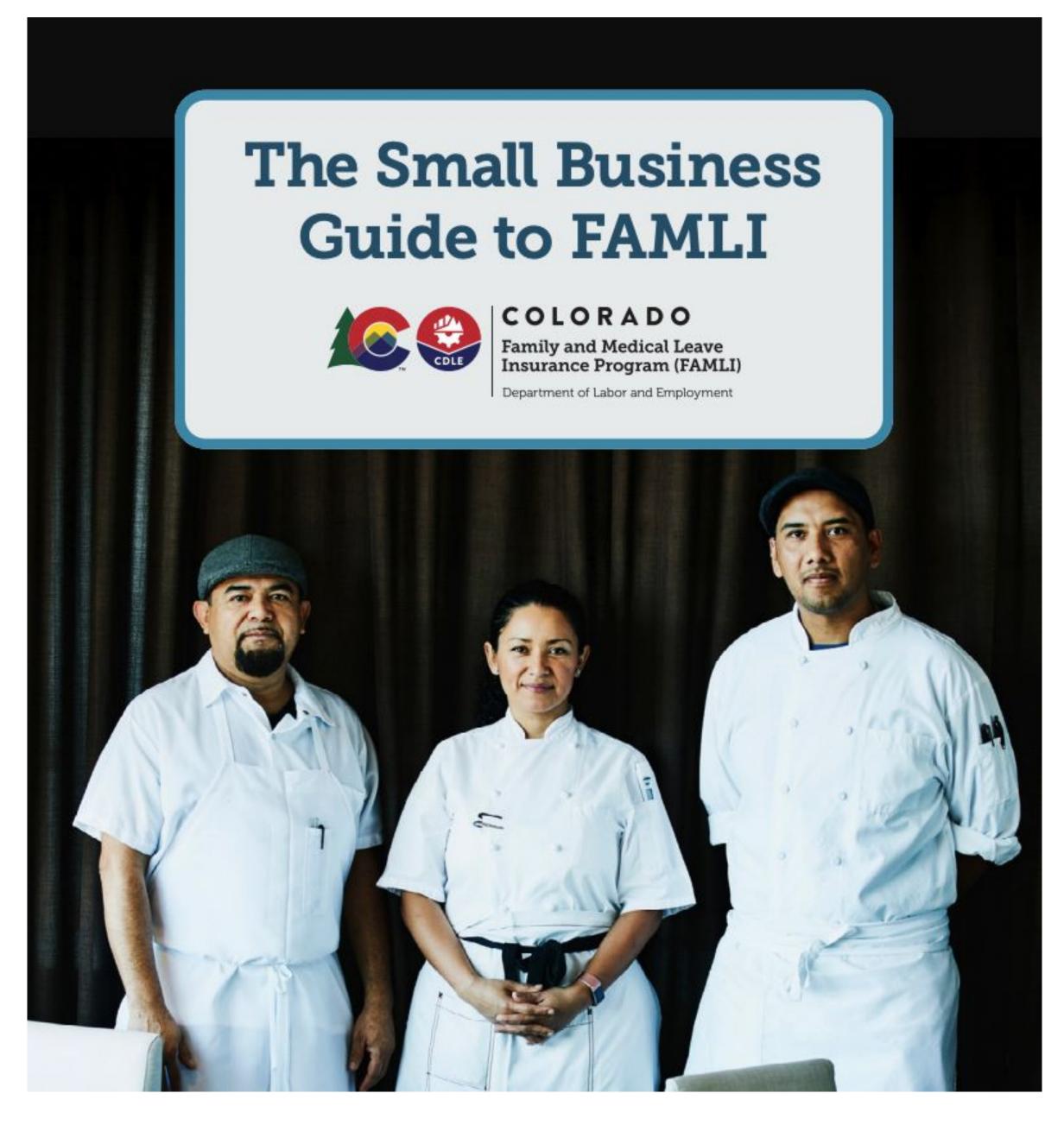




# How much does FAMLI pay?

Weekly Wage	Weekly Deduction	Weekly benefit	Maximum annual benefit	Percent of weekly wage
\$500	-\$2.25	\$450	\$5,400	90%
\$1,500	-\$6.75	\$1,020	\$12,240	68%
\$2,000	-\$9.00	\$1,100	\$13,200	55%
\$2,500	-\$11.25	\$1,100	\$13,200	44%
\$3,000	-\$13.50	\$1,100	\$13,200	37%





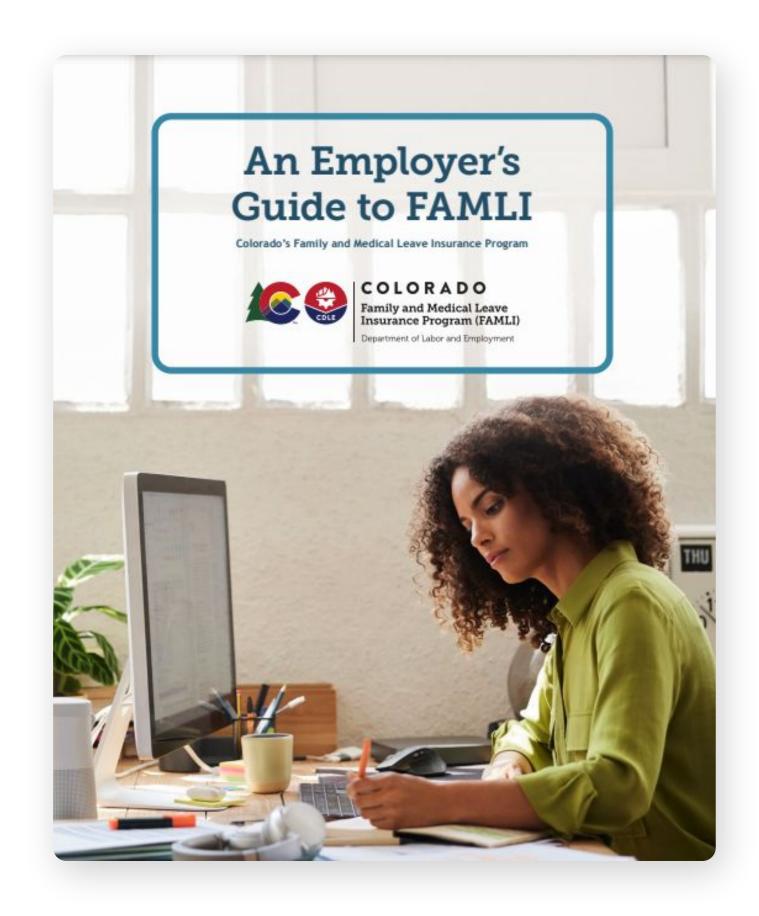
# NEW! Small Business Guide to FAMLI

#### Details about:

- FAMLI and business structure, including details on S-corps and C-corps
- Counting your employees
- FAMLI and taxes
- How FAMLI works with FMLA



#### The FAMLI Toolkit





2023 EMPLOYEE HANDBOOK TO **FAMLI** 



#### **2023 FAMLI Program Notice**

#### Deductions from Employee Wages start January 1, 2023

- The employee share of FAMLI premiums is set at 0.45% of employee wages through 2024. For 2025 and beyond, the director of the
  FAMLI Division sets the premium rate according to a formula based on the monetary value of the fund each year. Employers with ten or
  more employees must also contribute an additional 0.45% of wages for a total of 0.9%, but employers with nine or fewer employees are only
- Employers are not required to deduct FAMLI contributions from employees' wages. However, starting in 2023, employers are allowed to
  deduct up to 0.45% from employees' wages for FAMLI contributions. For every \$100.00 an employee makes, an employer may deduct up

#### Benefits start January 1, 2024

- Starting in 2024, paid family and medical leave benefits are available to most Colorado employees who have a qualifying condition and who
  earned \$2,500 over the previous year for work performed in Colorado.
- The qualifying conditions for paid family and medical leave are:
- . Caring for a new child during the first year after the birth, adoption, or foster care placement of that child.
- · Caring for a family member with a serious health condition.
- Caring for your own serious health condition.
- · Making arrangements for a family member's military deployment.
- Obtaining safe housing, care, and/or legal assistance in response to domestic violence, stalking, sexual assault, or sexual abuse.
   Covered employees are entitled to up to 12 weeks of paid family and medical leave per year. Individuals with serious health conditions caused by pregnancy complications or childbirth complications are entitled to up to 4 more weeks of paid family and medical leave per year for a
- Leave may be taken continuously, intermittently, or in the form of a reduced schedule.
- Leave will be paid at a rate of up to 90% of the employee's average weekly wage, based on a sliding scale. Employees may estimate their benefits by using the benefits calculator available at famil.colorado.gov.
- You don't have to work for your employer a minimum amount of time in order to qualify for paid family and medical leave benefits.
- . If FAMLI leave is used for a reason that also qualifies as leave under the federal FMLA, then the leave will also count as FMLA leave used. Employees may choose to use sick leave or other paid time off before using FAMLI benefits, but they are not required to do so.
   Employers and employees may mutually agree to supplement FAMLI benefits with sick leave or other paid time off in order to provide full

- · Employees will not be able to file for benefits until the last quarter of 2023. Benefits will be available starting January 2024. Instructions on how to apply for benefits will be available on famili.colorado.gov in the last quarter of 2023.
- Employees or their designated representatives apply for FAMLI benefits by submitting an application, along with required documentation, directly to the FAMLI Division. Employees cannot make employees apply for FAMLI benefits.
   Applications may be submitted in advance of the absence from work, and in some circumstances, they may be submitted after the absence
- Approved applications will be paid by the FAMLI Division within two weeks after the claim is properly filed, and every two weeks thereafter
- for the duration of the approved leave.

  Employees can appeal claim determinations to the FAMLI Division.

  Individuals who attempt to defraud the FAMLI program may be disqualified from receiving benefits.

#### Job protection and continued benefits

- · Employers must maintain health care benefits for employees while they are on FAMLI leave, and both the employer and the employee
- remain responsible for paying for those benefits in the same amounts as before the leave began.
- An employee who has worked for the employer for at least 180 days is entitled to return to the same position, or an equivalent position, upon their return from FAMLI leave.

#### Retaliation, Discrimination, and Interference Prohibited

- . Employers may not interfere with employees' rights under FAMLI, and may not discriminate or retaliate against them for exercising those rights.
- Employees who suffer retaliation, discrimination, or interference may file suit in court, or may file a complaint with the FAMLI Division.

- . An employer may offer a private plan that provides the same benefits as the state FAMLI plan, and imposes no additional costs or restrictions. Private plans must be approved by the FAMLI Division.
- Employees and employers are encouraged to report FAMLI violations to the FAMLI Division.



