



1026 Park Ave · PO Box 99
Grand Lake, CO 80447
970-627-3435
www.townofgrandlake.com

To: Mayor Kudron and the Grand Lake Board of Trustees

From: John Crone, Town Manager

Re: Adding Family and Medical Leave Insurance and Paid Parental Leave to the Personnel Guidelines

Date: November 13, 2023

Background on Part 8.1 - FAMLI

At the June 27, 2022, meeting of the Board of Trustees, the Trustees instructed staff to opt out of the Colorado FAMLI program. If the Town had not opted out, every employee would have been required to pay ½% of their pay into the program. The Town would have been required to match this ½% payment. Since the Town opted out, employees could still sign-up and pay ½% of their pay. The Board made the determination to pay the cost of the premiums for any employees who sign up for the FAMLI program.

The FAMLI program will take effect in January 2024. The program provides for payments of up to 90% of pay or \$1100 a week, based on a sliding scale. The payments last for up to twelve weeks.

In General, employees can use FAMLI leave in situations covered by the FMLA and the Colorado Family Care Act. Employees can take time away from work in order to:

- Care for a new child, including adopted and fostered children
- Care for themselves, if they have a serious health condition
- Care for a family member's serious health condition
- Make arrangements for a family member's military deployment
- Address the immediate safety needs and impact of domestic violence and/or sexual assault.

What Does Part 8.1 Do?

Part 8.1, if adopted, will formalize the Board's policy decision to pay for employees' contributions to FAMLI. The section will also clearly define the parameters and requirements for taking leave, and will explicitly specify how continuation of benefits will work. Finally, Part 8.1 will explain how PTO can be used to supplement FAMLI payments.

Background on Part 8.2 – Paid Parental Leave

At the October 9, 2023, meeting of the Board of Trustees, the Board instructed staff to prepare a paid parental leave policy. The Board decided to do this in order to attract and retain families to our Town's workforce.

The Paid Parental Leave will operate in conjunction with the FAMLI program and will provide for full wage replacement when an employee adds a child to their household through birth or adoption. This will allow new parents to keep PTO for the many additional needs that rise up with the addition of a child to your family, while still allowing for the needed bonding time to create a strong family dynamic.



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What Does Part 8.2 Do?

Part 8.2, if adopted, will provide for eight weeks of full wage replacement for those employees who are enrolled in FAMLII. The Town will cover the gap between FAMLII payments and the employee's average pay. If the employee is not enrolled in FAMLII, the program will pay 40% of the employee's average pay.

The benefit must be completely taken within one year of the child's adoption or birth. The benefit will also only last for eight weeks from the initiation of the benefit. (it can't be split up throughout the year). Once the benefit is used, it cannot be taken until the passage of another full rolling calendar year (one kid per year).

Motion

If the Board of Trustees desires to approve the amended Town of Grand Lake Personal Guidelines, it may do so by approving one of the following motions:

I move to adopt Resolution 41-2023, A Resolution for amending the Town of Grand Lake Personal Guideline as presented.

Or

I move to adopt Resolution 41-2023, A Resolution for amending the Town of Grand Lake Personal Guideline with the following changes: _____



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**TOWN OF GRAND LAKE
RESOLUTION NO. 41- 2023
A RESOLUTION AMENDING PERSONNEL GUIDELINES TO ADD PART 8.1 – FAMILY
AND MEDICAL LEAVE INSURANCE AND PART 8.2 – PAID PARENTAL LEAVE**

WHEREAS, Town of Grand Lake is committed to ensuring that its employees receive fair and equitable compensation and benefit packages; and

WHEREAS, the Board of Trustees believes that adopting certain policies will encourage commitment and excellence from employees, which will be beneficial to the Town and its residents.

NOW THEREFORE BE IT RESOLVED BY THE GRAND LAKE BOARD OF TRUSTEES AS FOLLOWS:

Part 8.1 – Family and Medical Leave Insurance and Part 8.2 – Paid Paternal Leave, as attached to this Resolution, are hereby added to the Town of Grand Lake Personnel Guidelines.

DULY MOVED, SECONDED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE THIS 13th DAY OF NOVEMBER 2023

(SEAL)

Votes Approving:
Votes Opposing:
Votes Abstaining:
Absent:

ATTEST:

**BOARD OF TRUSTEES OF THE
TOWN OF GRAND LAKE, COLORADO**

Alayna Carrell, Town Clerk

Stephan Kudron, Mayor



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Part 8.1 - Paid Family and Medical Leave Insurance

The Town of Grand Lake has opted out of Colorado's Family and Medical Leave Act Insurance. ("FAMLI"). However, individual employees may opt into FAMLI. If an employee opts into FAMLI, the Town of Grand Lake will pay the employee share of the FAMLI premium as an added benefit to the employee.

All employee requests for Family and Medical leave must adhere to the requirements of the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601–2654 (2006), as may be amended. ("FMLA"). and C.R.S 8-13.3-201, et seq., as may be amended. Employee requests for paid family and medical leave must adhere to C.R.S. 8-13.3-501, et seq., as may be amended.

If requested, the Town will allow usage of hourly increments of accrued PTO for both exempt and non-exempt employees to provide full wage replacement.

All benefits, including accrual of PTO, shall continue for employees on FMLA leave regardless of whether the employee is receiving FAMLI benefits. If there is a required employee contribution for any benefit, the employee remains responsible for such contribution. If the employee has sufficient PTO or any other Town provided monetary benefit, it may be used to pay for such contribution; otherwise, the employee will be required to make a direct payment to the Town no later than such payday as the employee contribution is traditionally withheld.

Part 8.2 - Paid Parental Leave

All employees are entitled to parental leave pursuant to FMLA and the Colorado Family Leave Act. All provisions of this Paid Parental Leave ("PPL") section shall be subject to any other requirements as listed in this Personnel Handbook unless such requirement is specifically exempted.

Employees eligible for PPL must have been employed by the Town continuously for the previous twelve months and must be the parent or an individual standing in loco parentis to the child for whom PPL is taken.

PPL may be taken for the following reasons:

- 1) The birth of a child and to care for that child (PPL must be completed within one year of the birth of that child); or
- 2) The adoption of a child under the age of 18-years old and to care for that child (PPL must be completed within one year of the placement of the child) (adoption of a stepchild is ineligible for the PPL benefit).

PPL will provide a bonus equal to the difference between the FAMLI payments received by the employee and the employee's average weekly pay based upon a forty-hour work week. If the employee is not eligible for FAMLI payments or does not otherwise receive FAMLI payments, PPL



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will provide a bonus equal to forty percent of the employee's average weekly pay based upon a forty-hour workweek.

PPL may not be used to receive overtime pay.

PPL will be paid in installment payments based upon the Town's regularly scheduled payroll.

PPL will be paid at the pay rate in effect at the time of each installment payment.

PPL payments will extend for one eight-week period. The employee may take leave beyond the eight-week period covered by PPL subject to Town policy, State law, and Federal law.

Holidays and other non-work days, except for regularly scheduled days off (weekends), run concurrently with PPL benefits. Holidays do not extend the eight-week period.

PPL must be taken concurrently with FMLA and FAMILI leave.

PPL must be taken in one eight-week block. The employee may return to work intermittently during the eight-week block; however, all PPL must be taken within eight weeks of the initiation of PPL.

The maximum PPL available is eight weeks in a rolling calendar year. Additional births or adoptions within the rolling calendar year will not be eligible for the PPL benefit.

Use of PPL will replace the need to use PTO to achieve full wage replacement pursuant to the Paid Family and Medical Leave Insurance section of the Personnel Handbook. PTO may still be used for wage replacement during leave taken outside of the eight-week PPL period.