

Weld County School District RE-5J

Resolution to Decline Participation in the Colorado Paid Family Medical Leave Insurance Program

WHEREAS, pursuant to the Paid Family and Medical Leave Insurance Act (the "Act"), the Colorado Department of Labor and Employment will operate a statewide insurance program (the "FAMLI Program") to provide wage replacement benefits for employees who take leave for eligible medical reasons; and

WHEREAS, pursuant to § 8-13.3-522, C.R.S., and 7 CCR 1107-2, local government employers, such as Weld County School District RE-5J (the "District"), may decline to participate in the FAMLI Program; and

WHEREAS, local government employers that choose to participate in the FAMLI Program and its employees must pay an wage premium to participate;

WHEREAS, the District Board of Education (the "Board") has considered participation in the FAMLI Program at this October 5, 2022, Board Meeting, and has provided timely public notice of the Board agenda in the same manner as any other business before the Board; and

WHEREAS, in addition to its standard notice, the Board has caused written notice to be provided to District employees prior to the date hereof, which notice has provided both information regarding the Board's voting process and the opportunity to submit comments through a public process to the Board; and

WHEREAS, the Board has provided a forum for public comment including testimony from interested parties in accordance with the Board's policy and procedural rules prior to voting on this Resolution; and

WHEREAS, having been fully advised concerning the aforementioned statutes and regulations the Board has determined that participation in the FAMLI Program is not in the best interests of the District.

NOW THEREFORE BE IT RESOLVED BY THE WELD COUNTY SCHOOL DISTRICT RE-5J BOARD OF EDUCATION THAT:

1. The Weld County School District RE-5J declines participation in the FAMLI Program.
2. The Superintendent will cause a letter be transmitted to the Department of Labor FAMLI Division notifying them of this vote not to participate no later than January 1, 2023.
3. The Superintendent will notify all employees of this determination within 30 days with the required elements established by law.
4. The Superintendent will cause a notice containing information regarding employees' right to self-elect coverage and voluntarily participate in the FAMLI Program, regardless of the Board's vote to decline participation as an employer, and contact information for the FAMLI Division will be placed in a conspicuous and accessible place.
5. The Board shall reconsider participation in the FAMLI Program no later than eight (8) years after the date hereof and shall notify the FAMLI Division of the Board's decision at that time as required by law.

Adopted and approved by roll call vote in accordance with the Board's policy, bylaws, and statutory obligations, this 5th day of October 2022.

Weld County School District RE-5J

By: 
Michael Wailes, Board President

ATTEST:

By: 
Sara Hall, Board Secretary