

RESOLUTION NO. 2022- 4

A RESOLUTION OF THE SOUTH DURANGO SANITATION DISTRICT DECLINING PARTICIPATION IN THE COLORADO PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM

WHEREAS, in November of 2020, Colorado voters approved Proposition 118, codified in Part 5, Article 13.3 of Title 8, Colorado Revised Statutes (C.R.S.), establishing the Family and Medical Leave Insurance (“FAMLI”) Program, a state insurance plan providing paid leave for Colorado workers during certain life circumstances; and

WHEREAS, under the FAMLI Program, employers and their employees are both responsible for funding the program and may split the cost 50/50; the premiums are set at 0.9% of the employee’s wage, with 0.45% paid by the employer and 0.45% paid by the employee; and

WHEREAS, the premiums required for FAMLI will be collected starting January 1, 2023, and benefits will begin January 1, 2024; and

WHEREAS, as a local government as defined by C.R.S. §§ 8-13.3-503(14) and 29-1-304.5(3)(b), the South Durango Sanitation District (the “District”) may decline to participate in FAMLI following a public hearing and vote of its governing body pursuant to C.R.S. § 8-13.3-522; and

WHEREAS, should the District decline to participate in FAMLI, its employees will still have the option to participate in the program and remit premiums to the State;


WHEREAS, at a public meeting held September 22, 2022, the Board of Directors held a public hearing on the decision whether to participate in FAMLI; and

WHEREAS, the employees of the District have reviewed the FAMLI program and have indicated they do not want to participate; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SOUTH DURANGO SANITATION DISTRICT AS FOLLOWS:

1. The Board of Directors finds and determines that, with regard to the public hearing on the decision of whether to decline participation in FAMLI, notice was given, and the hearing was conducted in accordance with the regulations adopted by the Colorado Department of Labor and Employment and codified at 7 CCR 1107-2.
2. The Board of Directors, acting by and on behalf of the District, declines all participation in the FAMLI Program.
3. The Board of Directors further directs its staff to bring the matter of revisiting the decision to decline participation in FAMLI before a future Board by no later than eight years from the date of the vote on this Resolution 2022- 4.

APPROVED AND ADOPTED this 22nd day of September 2022.


President