



DE BEQUE FIRE PROTECTION DISTRICT

NOTICE TO EMPLOYEES OF THE DECISION TO DECLINE PARTICIPATION IN THE FAMILY AND MEDICAL LEAVE INSURANCE (FAMLI) PROGRAM, AND THE RIGHT TO VOLUNTARILY OPT-IN TO THE FAMLI PROGRAM

Notice is hereby given to De Beque Fire Protection District (DFPD) Employees that a vote on a Resolution to Opt-Out of the Family and Medical Leave Insurance (“FAMLI”) Program was held during the regular Board of Directors meeting on August 9, 2022. This notice explains how the vote affects employees’ rights and benefits.

1) LEAVE COMPARISON: FAMLI PROGRAM, DISTRICT’S LEAVE PROGRAM

- The FAMLI Program. Under the FAMLI Program, covered individuals may take up to 12 weeks of paid aggregate family/medical leave (up to 16 weeks for pregnancy complications) in a 12-month period for:
 - Birth, adoption, placement, care of a new child during first year after birth, adoption, or foster care;
 - Care for a family member with a “serious health condition” (including pregnancy);
 - An employee’s own serious health condition;
 - Exigency leave (active duty military; post deployment or death); or
 - Safe leave (employee or employee’s family member is the victim of domestic abuse, stalking or sexual assault/abuse)

Employees participating in the FAMLI Program must submit insurance premiums to the state starting on January 1, 2023 through a payroll premium split between employers and employees. Paid leave benefits start no sooner than January 1, 2024. Paid leave is a partial income replacement as follows: 90% of an employee’s average weekly wage for the portion of their wages equal to or less than 50% of the state average weekly wage; and 50% of the portion of their wages that exceeds the state average weekly wage. The maximum weekly benefit is \$1,100. For more information, see the FAMLI Premium and Benefits Calculator at: <https://famli.colorado.gov/individuals-and-families/premium-and-benefits-calculator>.

The DFPD has declined participation, thus the District is not responsible for deducting an employee’s premium or to forward the premium to the FAMLI Division.



- DFPD Board of Directors has instructed the Administrative Staff to build into the 2023 budget an amount equal to or greater than the amount the FAMLII program would require for the purpose of having funds available as an alternative option instead of the FAMLII program. At this time, the Board will fund the entire amount and not require a matching portion from the employees.

2) DISTRICT EMPLOYEE BENEFIT PROGRAM. DFPD paid leave benefits are as follows:

- DFPD will pay Holiday Pay to employees who are scheduled to work or get called in to work on the following Holidays:
 - New Year's Day – January 1st
 - Martin Luther King Day – January – Variable
 - President's Day – February – Variable
 - Memorial Day – May – Variable
 - Independence Day – July 4th
 - Labor Day – September – Variable
 - Columbus Day – October – Variable
 - Veteran's Day – November 11th
 - Thanksgiving Day – November – Variable
 - Christmas – December 25th
 - Employee Birthday if worked
- DFPD PTO Policy (includes Sick and Paid Vacation)
 - PTO – Full Time Employees

Employees will accrue PTO amounts of leave to be used for vacations, illness, and personal leave. PTO will be accrued on a bi-weekly basis. There is no waiting period for new employees to use their PTO once it is accrued.

Using PTO: PTO time is a benefit so that employees can take time away from work. PTO time is not considered hours worked for the purposes of calculating overtime. PTO time will not be granted in advance of its accrual. Requests for PTO that fall on designated holidays will be granted based on seniority for each shift for that calendar year. You will not be allowed to request the same holiday for two consecutive years. If you terminate your employment and have accrued but unused PTO time, you will be paid 55% of the unused PTO at your then-current regular rate of pay. Using PTO time on a holiday does not qualify the employee for holiday pay.



PTO Accrual cap: Employees may only accrue to the maximum of the annual hours for their specific category. Once the employee reaches the maximum amount their annual accrual hours, the employee will stop accruing PTO time. See PTO Chart below for accrual caps. When PTO is used, the employee will then start to accrue PTO again.

Full time shift employees who work a 48/96

Years of service	Paycheck accrual	Hours per Year	Max hours accrued
0-4 Years	8.5	221	336
5-9 Years	10.5	273	384
10-14 Years	12.5	325	432
15-19 Years	14.0	364	480
20+ Years	16	416	528

Full Time Employees who work a 40-hour work week

Years of Service	Paycheck accrual	Hours per Year	Max hours accrued
0-4 Years	7.0	182	248
5-9 Years	8.5	221	336
10-14 Years	10.0	260	384
15-19 Years	11.5	299	432
20+ Years	13.0	338	480

- PTO Accrual- Part time Employees

Part-time line employees will accrue 1 hour of PTO for every 24-hour shift worked. Part-time line employees will begin accruing hours on the first day of January or the first day of employment and must use any accrued hours by December 31 of each current year. Accrued hours will not carry over to the next year.

Part-time admin employees will accrue 1 hour of PTO for every 24 hours worked.

Part-time line and admin employees are not eligible for PTO cash out. They can, however, donate PTO to all eligible employees.



- **ADDITIONAL LEAVE AVAILABLE.** Additional paid leave is available for extraordinary circumstances as follows:
 - A. Family Medical Leave Act (FMLA) – 40 hours of additional medical leave for family medical circumstances may be granted. Employees are also able to take unpaid medical leave after their PTO/FMLA paid leave has expired.*
 - B. Workmen’s Comp – Employees are covered by workmen’s comp for injuries while on the job.*
 - C. Jury Duty – 36 hours per year. Employee must provide documents showing their call to jury duty.
 - D. Bereavement Leave – 36 hours per year.
 - E. COVID Leave – 80 hours per year.**

*See the Employees’ Handbook and FMLA materials for more information.

**Dependent upon national and state law changes.

3) EMPLOYEES’ REIGHT TO VOLUNTARILY OPT-IN AS AN INDIVIDUAL PARTICIPANT

Even though the DFPD has declined participation in the FAMLII Program, District employees may individually opt-in to the program by contacting the FAMLII Division at CDLE_FAMLII_info@state.co.us.

PLEASE NOTE: Any DFPD employee voluntarily opting-in to the program as an individual will be responsible to remit their payments directly to the State of Colorado. The DFPD will **NOT** be deducting the premium from paychecks **NOR** will DFPD remit any premium payments on your behalf to the State.

Respectfully,

Kim Latham
Office Manager