

LEGAL UPDATE

Colorado Adopts Regulations for Paid Sick Leave, Effective Jan. 1

The Colorado Department of Labor and Employment has adopted [regulations](#) for the state's new paid sick leave law, the [Healthy Families and Workplaces Act](#). A portion of the law took effect over the summer, expanding leave under the federal Families First Coronavirus Response Act. However, the law's main paid sick leave provisions and the recent regulations take effect for employers with 16 or more employees on Jan. 1, 2021, and for all employers Jan. 1, 2022.

The Regulations

Much of the material in the regulations was provided by the Department of Labor and Employment in earlier [Interpretive Notice & Formal Opinions](#). New information includes the directive that employers use federal Family and Medical Leave Act counting rules to determine whether they have 16 employees, and therefore whether they must comply with the law on Jan. 1, 2021, or Jan. 1, 2022.

The regulations additionally provide the new explanation that accrual of paid sick leave begins on the first day of employment or Jan. 1, 2021, whichever is later. Other notable provisions in the regulations concern:

- The written statement employers must give employees if they adopt an alternate leave policy;
- The documentation employers may request of employees for leave lasting four days or more; and
- Employees' right to information about their amount of used and available leave.

The regulations also clarify requirements for additional leave that must be provided during public health emergencies.

Important Dates

July 14, 2020

Colorado paid sick leave law was passed. COVID-19 provisions took effect immediately.

Jan. 1, 2021

Remaining provisions of the law take effect for employers with 16 or more employees.

Jan. 1, 2022

Law takes effect for all Colorado employers.

Employers should use FMLA rules to determine their size for compliance deadline purposes.



Provided to you by **Employco USA, Inc.**

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