

# CO FMLI – Program Notice

## Deductions from Employee Wages

CO FMLI may be funded by premiums paid by employees and employers. An employer may not charge an employee more than 0.44% of their wages to fund their portion of the private plan premium.

## Benefits started January 1, 2024

- Starting in 2024, paid family and medical leave benefits became available to most Colorado employees who have a qualifying condition and who earned \$2,500 over the previous year for work performed in Colorado.
- Qualifying conditions for paid family and medical leave are:
  - Caring for a new child during the first year after the birth, adoption, or foster care placement of that child.
  - Caring for a family member with a serious health condition.
  - Caring for a newborn child in the neonatal intensive care unit (NICU)
  - Caring for your own serious health condition.
  - Making arrangements for a family member's military deployment.
  - Obtaining safe housing, care, and/or legal assistance in response to domestic violence, stalking, sexual assault, or sexual abuse.
- Covered employees are entitled to up to 12 weeks of paid family and medical leave per year. Individuals with serious health conditions caused by pregnancy complications or childbirth complications are entitled to up to 4 more weeks of paid family and medical leave per year for a total of 16 weeks. Effective January 1, 2026, eligible employees are entitled to a separate and distinct leave entitlement that provides up to 12 additional weeks of paid family and medical leave benefits to a covered individual who is providing care for their infant receiving inpatient treatment in a neonatal intensive care unit.
- Leave may be taken continuously, intermittently, or in the form of a reduced schedule.
- Leave will be paid at a rate of up to 90% of the employee's average weekly wage, based on a sliding scale. Employees may estimate their benefits by using the benefits calculator available at [famli.colorado.gov](https://famli.colorado.gov).
- You don't have to work for your employer a minimum amount of time in order to qualify for paid family and medical leave benefits.
- If FMLI leave is used for a reason that also qualifies as leave under the federal FMLA, then the leave will also count as FMLA leave used.
- Employees may choose to use sick leave or other paid time off before using FMLI benefits, but they are not required to do so.
- Employers and employees may mutually agree to supplement FMLI benefits with sick leave or other paid time off in order to provide full wage replacement.

## Filing Claims

- Applications may be submitted in advance of the absence from work, and in some circumstances, they may be submitted after the absence has begun. Employers cannot

make employees apply for FMLI benefits.

- As of your effective date you can apply for paid leave benefits under your Unum private plan by submitting a completed claim form:
  - Mail:** The Benefits Centers, P.O. Box 100158, Columbia, SC 29202-3158
  - Fax:** 1-800-447-2498
  - Online:** [www.unum.com/claimant](https://www.unum.com/claimant) or **Unum Total Leave:** <https://portal.unum.com>
- Approved applications will be paid by Unum within five business days after the claim is properly filed, and every week thereafter for the duration of the approved leave.
- If your application is denied, you can appeal the decision by sending a written request to appeal to Unum at the above address or to the FMLI Division within 49 days from the date of written notice of our claim decision.

## Job protection and continued benefits

- An employee who has worked for the employer for at least 180 days is entitled to return to the same position, or an equivalent position, upon their return from FMLI leave.
- Employers must maintain health care benefits for employees while they are on **FAMLI leave (Colorado Paid Leave)**, and both the employer and the employee remain responsible for paying those benefits in the same amounts as before the leave began.

## Retaliation, Discrimination, and Interference Prohibited

- Employers may not interfere with employees' rights under FMLI and may not discriminate or retaliate against them for exercising those rights.
- Employees who suffer retaliation, discrimination, or interference may file suit in court, or may file a complaint with the FMLI Division.
- It is unlawful for an employer to count paid family and medical leave taken as an absence that may lead to or result in discipline, discharge, demotion, suspension or any other adverse action.

## Other Important Information

- Employees and employers are encouraged to report FMLI violations to the FMLI Division.
- FAMLI Division can be reached by phone or email:
  - Monday–Friday 8 a.m.–4 p.m. (M.T.)
  - Call:** 1-866-CO-FAMLI (1-866-263-2654)
  - Email:** [CDLE\\_FAMLI\\_info@state.co.us](mailto:CDLE_FAMLI_info@state.co.us)