

RESOLUTION 2022-15
A RESOLUTION OF THE FRUITA CITY COUNCIL OF THE CITY OF
FRUITA, COLORADO DECLARING THE CITY OF FRUITA'S DECISION TO
OPT OUT OF THE COLORADO PAID FAMILY AND MEDICAL LEAVE
INSURANCE PROGRAM (FAMLI)

WHEREAS, in November of 2020, Colorado voters approved Proposition 118, which established a State-run Paid Family and Medical Leave Insurance program ("FAMLI"); and

WHEREAS, the State's purpose for creating the program is to ensure all Colorado workers have access to paid leave in order to take care of themselves or their family during life circumstances that pull them away from their jobs; and

WHEREAS, under F AMLI, 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, the City of Fruita (the "City") may decline to participate in F AMLI following a public hearing and vote of its governing body; and

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

WHEREAS, the City provided written notice on June 13, 2022, to all employees of the City's meeting on June 20, 2022, to vote on whether to opt out of FAMLI; and

WHEREAS, the City provided notice of its regular meeting on June 20, 2022, in accordance with the Colorado Open Meetings Law; and

WHEREAS, at its June 20, 2022, meeting the City Council heard testimony from City Staff, City employees and members of the public on opting out of FAMLI; and

WHEREAS, it is the desire of the Fruita City Council to decline participation in the FAMLI program, with such decision to include declining to collect and remit employee premiums to the State for those employees who elect coverage under FAMLI.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE , COLORADO THAT:

1. The City of Fruita hereby declines participation in the Colorado Paid Family and Medical Leave Insurance Program which shall include declining to collect and remit employee premiums to the State for those employees who elect coverage under FAMLI.

2. Notice of this Declaration shall be provided to the Colorado Department of Labor and Employment.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF _____, 2022 BY THE FRUITA CITY COUNCIL OF THE CITY OF FRUITA ON A FIRST AND FINAL READING, BY A VOTE OF ____ FOR AND ____ AGAINST.

City of Fruita

Joel Kincaid, Mayor

ATTEST:

Margaret Sell, City Clerk