Monday, June 22, 2020

On June 16, 2020, the Colorado Legislature passed the Healthy Families and Workplaces Act which becomes effective on January 1, 2021 for employers with 16 or more employees and on January 1, 2022 for employers with 15 or more employees and creates paid sick leave in Colorado. Specifically, upon hire, employees begin accruing paid sick leave at the rate of one hour for every 30 hours worked, up to 48 hours and employers have the option of granting paid sick leave in one lump sum up front. Unlike other jurisdictions that require a “waiting period” before employees may begin using paid sick leave, the Colorado Act entitles employees to use paid sick leave immediately upon accrual. Accrued sick leave carries over from year-to-year up to a maximum of 48 hours, and employers can limit usage of the basic paid sick leave to 48 hours per year.

Paid sick leave can be used for paid sick days for illness, injury, or condition of, or preventative care for, the employee or, as needed, the employee’s family member and for specific circumstances involving domestic violence, sexual assault, or stalking. The request from the employee can be written or verbal.

Additionally, there is a one-time allotment of two weeks of additional paid sick leave during a public health emergency. Unused basic paid sick leave may be counted
towards the two weeks. Subject to certain time constraints, employees may take additional paid sick leave for various reasons similar to those under the Families First Corona Virus Response Act. Upon termination, there is no payout of accrued but unused sick leave. Like other statutes affecting employee rights, there is both a notice and posting requirement.

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