FAMLI & Other Types of Leave

Employers: Here's what you need to know about how FAMLI works with other types of leave you may offer your staff:

- **Paid Time Off (PTO):** Employees can't be required to use PTO before FAMLI leave, but they may choose to do so.
- **FMLA:** FMLA is designed to run concurrently with FAMLI. If FAMLI leave is used for a reason that also qualifies as leave under FMLA, then the leave also counts as FMLA leave. An employer can't require an employee to exhaust available FAMLI leave as a condition to access FMLA leave.
- **Unemployment:** No one getting unemployment insurance payments can receive FAMLI benefits for the same job and same period of time.
- **Workers' comp:** No one getting workers' compensation indemnity benefits payments can receive FAMLI benefits to recover from the same workplace-related injury.
- **Healthy Families and Workplaces Act (HFWA):** HFWA and FAMLI are two separate Colorado laws that provide employees with paid leave for a range of health and safety needs. For more information and specifics on the differences and overlap of the two leave types, please see INFO #6C on cdle.colorado.gov/infos.
- **Other leave benefits:** Employers can require employees to use FAMLI leave as a condition for benefits that the employer is not legally required to provide, like short-term disability, long-term disability, or paid parental leave. Additionally, employers can require FAMLI leave to run concurrently with those employer-provided short-term disability, long-term disability or paid parental leave benefits. Otherwise, employers and benefit administrators can't require an employee to exhaust available FAMLI leave.

If an employee is improperly paid PTO or sick leave, employers may recoup the overpayment.

Life happens. FAMLI has you covered.
Learn more at famli.colorado.gov.

COLORADO
Family and Medical Leave Insurance Program (FAMLI)
Department of Labor and Employment

FAMLI Application Checklist

Have these items handy when applying for FAMLI benefits:

- ☐ Your contact information. The person applying for benefits in My FAMLI+, or their designated representative, will be the primary account administrator and will need to set up multi-factor authentication in order to log in.
- ☐ Your mailing address information.
- ☐ Your Social Security Number or Individual Taxpayer ID Number.
- ☐ Your employer's information. This includes your employer's Federal Employer Identification Number (FEIN), which you can find on your tax documents, like a W-2.
- ☐ Your employer's human resources (HR) contact email address. This is the email address FAMLI will use to communicate with your employer about your claim. You won't need this unless you have to manually add your employer in the portal, otherwise it will be automatically filled.
- ☐ If applying for FAMLI benefits to care for yourself or a loved one, a Serious Health Condition form completed by a licensed health care provider. The health care provider you designate in your claim must match the health care provider who signs off on the Serious Health Condition form. Be sure to have all of that health care provider's contact information.
- ☐ If applying for parental bonding leave, a birth certificate or other documentation of birth or adoption for foster-care or kinship-care placement.
- ☐ The start and end dates of your leave.
- ☐ Your bank's account and routing information. Make sure you are getting this information from your bank, rather than from checks, as this information can change from time to time.
- ☐ Know how you'd like to use your leave (continuously, intermittently, or on a reduced schedule.)
- ☐ **On the first day of your leave:** log into your My FAMLI+ account to confirm that your leave has officially begun! If you are using Continuous Leave, this will be automatic, and **you won't have to do anything**. If you are using Intermittent Leave or Reduced Leave, **there will be a Task for you to complete** in your claim to confirm your leave has begun.

For more details on what's needed for specific situations like Military Family Members (Exigency) Leave and Safe Leave, please visit our Individuals & Families page.

If you're applying for leave in advance:

REMEMBER: The final step before the FAMLI Division can approve your benefit payments is to let us know that your leave has officially begun. This will show up as a task in your Claims Dashboard in your My FAMLI+ account. Even if you successfully submitted all required documentation up to 30 days in advance of your leave start date, you must log into your account or call the contact center to let us know when your leave has officially started.

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