

**A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE OPTING OUT OF THE PAID FAMILY AND
MEDICAL LEAVE INSURANCE PROGRAM**

WHEREAS, in November 2020, Colorado voters approved Proposition 118 creating the Paid Family and Medical Leave Insurance Program ("FAMLI" or the "FAMLI Program"); and

WHEREAS, the FAMLI Program requires participating employers to remit to the FAMLI Division of the Colorado Department of Labor premiums in the form of 0.9% of all employees gross wages beginning January 1, 2023, and permits participating employers to require that employees pay for one-half of the premiums; and

WHEREAS, the FAMLI Program allows local governments to decline to participate in the FAMLI Program while also continuing to allow local government employees to individually opt into the FAMLI Program; and

WHEREAS, the City of Cherry Hills Village (the "City") already provides paid time off, unpaid, job-protected leave under the Federal Family and Medical Leave Act ("FMLA"), and parental involvement leave; and

WHEREAS, the City believes that employees are in the best position to individually determine whether they wish to opt into the FAMLI Program; and

WHEREAS, pursuant to 7 CCR 1107-2 §2.6(A)(2), the City posted notice of the meeting at which this Resolution was considering in the same manner as any other business before Council and additionally provided advance written notice to all City employees regarding the City Council's planned consideration of this "opt out" resolution and the opportunity to submit comments and attend the Council meeting; and

WHEREAS, in addition, the City employees have been notified of: (1) their right to individually opt into the FAMLI Program under C.R.S. § 8-13.3-514; and (2) that more information for the FAMLI Program may be found at <https://famli.colorado.gov/>; and

WHEREAS, prior to consideration of this Resolution, the City Council read into the record any written comments regarding this Resolution received prior to the meeting and accepted oral comments at the meeting from the City employees and other interested parties, if any; and

WHEREAS, the City Council has determined that declining to participate in the FAMLI Program is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cherry Hills Village, Colorado that:

Section 1. Participation in FAMLI Program Declined. The City Council hereby declines to participate in the FAMLI Program.

Section 2. Instruction to HR Manager to Notify FAMLI Division. The City Council directs the HR Manager to notify the FAMLI Division of this decision. Specifically, the HR Manager shall provide the FAMLI Division with a certified copy of this Resolution.

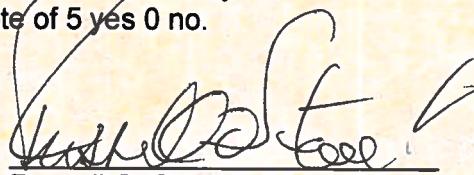
Section 3. Instruction to HR Manager to Notify City Employees. The City Council directs the HR Manager to provide individual notice of this decision within thirty (30) calendar days of the date of this Resolution.

Section 4. Instruction to HR Manager to Post Notice of this Decision in the Workplace. The City Council directs the HR Manager to post notice of this decision as required by 7 CCR 1107-2 within thirty (30) calendar days of the date of this Resolution.

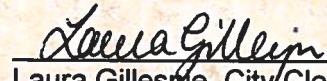
Section 5. This Resolution shall be effective immediately upon adoption.

Introduced, passed and adopted at the
regular meeting of City Council this 7th day
of June, 2022, by a vote of 5 yes 0 no.

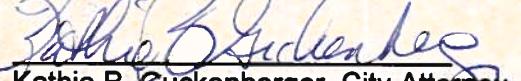
(SEAL)


Russell O. Stewart, Mayor

ATTEST:


Laura Gillespie, City Clerk

APPROVED AS TO FORM:


Kathie B. Guckenberger, City Attorney