

## **Communication: Equal Pay for Equal Work Act – Healthy Families Workplaces Act**

Hello –

As most of you know, we have two important changes coming as a result of new Colorado legislation - the Equal Pay for Equal Work Act (EPEWA), and the Healthy Families and Workplaces Act (HFWA). Both laws are effective on January 1, 2021.

To comply with the EPEWA we will be required to make changes that will impact how we set pay and post positions. Under HFWA, some employee groups that do not currently receive sick leave will accrue and will be provided with sick time. In addition, employees will be able to use sick leave for more circumstances.

Attached is information including background, new requirements, plans for compliance, and responsibilities related to these new laws. Additional communication and guidance will be provided as soon as available.

Action Required: Please share the attached information with employees and supervisors in your area as soon as possible and consider processes that need to be revised withing your department, school, or college.

If you have questions related to Equal Pay for Equal Work Act, please contact Florie.Montoya@ucdenver.edu and Laurie.Barnes@ucdenver.edu

For questions related to Healthy Families and Workplaces Act, please contact Florie.Montoya@ucdenver.edu and Doug.Kasyon@cuanschutz.edu  
Thank you.

Florie

# Healthy Families and Workplaces Act

## Background

The [Healthy Families and Workplaces Act](#) is effective on January 1, 2021. The Act requires employers to provide paid sick leave to employees under certain circumstances.

CU Denver |Anschutz Medical Campus, along with other campuses and system office, is evaluating the requirements of the new law and are preparing for the implementation of the new leave requirements including programming in My Leave, CU Time, and HCM to accommodate new requirements.

In preparation for January 2021, working to operationalize the following requirements:

Requirement	Plan for compliance/responsibility
<p>Add state sick leave accruals for the following:</p> <ul style="list-style-type: none"> <li>• Temporary staff (university staff, classified staff, temporary researcher)</li> <li>• Student Faculty</li> <li>• Student Workers</li> <li>• Lecturers</li> <li>• Working Retirees</li> <li>• Part time faculty</li> <li>• Secondary Appointments</li> </ul> <p>*Note – Predocs and those paid on a stipend are not eligible for leave accrual</p>	<p>Leave accruals for these groups will be driven by pay group. Employee Services is programming systems for compliance.</p> <p>The new state sick plan will accrue at a rate of 0.033 hours per hour worked. Unlike existing accrual programs, there is no per-month cap on the accrual granted. Employees can earn up to 48 sick leave hours per fiscal year.</p> <p>To prepare for use of My Leave, schools/departments will ensure data clean-up occurs before January 1, 2021, including reports to accurate in HCM, FLSA, and FTE accurate, pay group consistent so accrual is generated in HCM. See link below - resource guide to help with these efforts.</p> <p>Schools/colleges will ensure consistency in pay groups to help with data integrity.</p> <p><b>Proposed:</b> There will be no additional accrual for secondary appointments such as chairs, faculty directors, or 9-month faculty on active summer appointments. Relevant policies and administrative policy statements are being reviewed and revised for clarification of leave eligibility for these types of appointments.</p>

Requirement	Plan for compliance/responsibility
<p>Leave accrual for the following will continue to be outside of HCM. We must ensure we can report accruals, usage, and balances with a central reporting tool</p> <ul style="list-style-type: none"> <li>• Post Docs</li> <li>• Residents/Fellows</li> <li>• 9 Month Faculty</li> </ul>	<p>Central HR exploring reporting tool for compliance purposes.</p> <p>Post Docs will remain in the current pay group, but will not accrue leave in HCM.</p> <p><b>Residents</b> Accrual must occur at beginning of employment vs. as needed. Looking at policy related to this group.</p> <p>9-month faculty accruals:</p> <ul style="list-style-type: none"> <li>• <b>Currently:</b> 11 days per <i>completed</i> academic year.</li> <li>• <b>Proposed:</b> 5.5 days populated at beginning of each semester and leave can be used during the summer for 9 month faculty who have active appointments.</li> </ul>
<p>Leave maximum of 48 hours per fiscal year</p>	<p>Systems are being programmed to capture accruals.</p>
<p>Leave payout</p>	<p>State sick leave is not paid out at termination or retirement.</p>
<p>Reinstatement of Leave</p>	<p>If an employee separates and returns within 6 months unused state sick leave must be reinstated.</p>
<p>Additional paid sick leave during a public health emergency</p>	<p>In addition to the above, on the date a public health emergency is declared, each employee's accrued paid sick leave will be supplemented in the following manner if their balance is below the required minimum:</p> <ul style="list-style-type: none"> <li>• For employees who normally work 40 or more hours per week, at least 80 hours</li> </ul> <p>For employees who normally work fewer than 40 hours in a week, at least the greater of either the amount of time the employee is scheduled to work in a 14-day period or the amount of time the employee actually works on average in a 14-day period</p>

<b>Requirement</b>	<b>Plan for compliance/responsibility</b>
Reasons sick leave may be used	<p>Employees may use accrued paid sick leave to be absent from work for the following purposes:</p> <ul style="list-style-type: none"> <li>• The employee has a mental or physical illness, injury, or health condition; needs a medical diagnosis, care, or treatment related to such illness, injury, or condition; or needs to obtain preventive medical care;</li> <li>• The employee needs to care for a family member who has a mental or physical illness, injury, or health condition; needs a medical diagnosis, care, or treatment related to such illness, injury, or condition; or needs to obtain preventive medical care;</li> <li>• The employee or family member has been the victim of domestic abuse, sexual assault, or harassment and needs to be absent from work for purposes related to such crime; or</li> <li>• A public official has ordered the closure of the school or place of care of the employee's child or of the employee's place of business due to a public health emergency, necessitating the employee's absence from work.</li> </ul>

Policies (Regent Policy 11e, Administrative Policy Statement 5062, and campus policies) and processes are being revised to include the requirements above and will be made available when complete.

A page specific to [Healthy Families and Workplaces Act](#) is live and includes important information including an FAQ that will continue to be revised as additional decisions are made. If you have additional questions to add to the FAQ, please e-mail [florie.montoya@ucdenver.edu](mailto:florie.montoya@ucdenver.edu). In addition, in order to prepare for use of My Leave for tracking the new state sick leave, please review the guides on the HR web page and complete clean up by December 31, 2020. Training for My Leave for employees, supervisors, and HR Business Partners will be scheduled in January 2021.

Please share this information with employees and supervisors within your school, college or department.

If you have questions, please contact [Florie.Montoya@ucdenver.edu](mailto:Florie.Montoya@ucdenver.edu) and [Doug.Kasyon@cuanschutz.edu](mailto:Doug.Kasyon@cuanschutz.edu)