

Your employer has been approved to provide Colorado Paid Family & Medical Leave coverage through a Private Plan.

Private Plan Insurer: The Prudential Insurance Company of America (Prudential)

Private Plan Effective Date: January 1, 2024

Eligible Employees

Family and Medical Leave Insurance (FAMLI) or Colorado Paid Family and Medical Leave (CO PFML) benefits are available to Colorado employees who have a qualifying condition and who earned \$2,500 over the previous year for work performed in Colorado. You don't have to work for your employer a minimum amount of time in order to qualify for paid family and medical leave benefits.

Contributions for Your Employer's Private Plan

You may be asked to contribute up to 50% of the cost established for the state program. For 2024, 50% of the state plan rate is 0.45% of wages. Contributions are calculated as a percentage of wages and your employer will deduct your contribution from your paycheck. For more details, contact your employer.

Qualifying Conditions for Paid Family and Medical Leave

These are:

- Caring for a new child during the first year after the birth, adoption, or foster care placement of that child.
- Caring for a family member with a serious health condition.
- Caring for your own serious health condition.
- Making arrangements for a family member's military deployment.
- Obtaining safe housing, care, and/or legal assistance in response to domestic violence, stalking, sexual assault, or sexual abuse.

Benefit Amount, Leave Duration, Leave Schedule, & Other Details

- Leave will be paid at a rate of up to 90% of the employee's average weekly wage, based on a sliding scale. Employees may estimate their benefits by using the benefits calculator available at famli.colorado.gov.
- Covered employees are entitled to up to 12 weeks of paid family and medical leave per year. Individuals with serious health conditions caused by pregnancy complications or childbirth complications are entitled to up to 4 more weeks of paid family and medical leave per year for a total of 16 weeks.
- Leave may be taken continuously, intermittently, or in the form of a reduced schedule.
- If this leave is used for a reason that also qualifies as leave under the federal FMLA, then the leave will also count as FMLA leave used.
- Employees may choose to use sick leave or other paid time off before using these benefits, but they are not required to do so.
- Employers and employees may mutually agree to supplement these benefits with sick leave or other paid time off in order to provide full wage replacement.

Applying for Benefits

- You or your designated representative may apply for benefits by calling Prudential at 1-877-367-7781 or applying online at www.prudential.com/mybenefits.
- Applications may be submitted in advance of the absence from work, and in some circumstances, they may be submitted after the absence has begun.
- Approved applications will be paid by Prudential within two weeks after the claim is properly filed, and at least every two weeks thereafter for the duration of the approved leave.

Appeals

Appeals may be submitted to Prudential in writing as indicated in your decision letter. You may choose to forgo the appeal process offered by Prudential and submit an appeal to the Colorado Department of Labor and Employment ("CDLE"). If you file an initial appeal with Prudential, you may appeal the outcome of that appeal to CDLE.

Job Protection and Continued Benefits

Employers must maintain health care benefits for employees while they are on this leave, and both the employer and the employee remain responsible for paying for those benefits in the same amounts as before the leave began.

An employee who has worked for the employer for at least 180 days is entitled to return to the same position, or an equivalent position, upon their return from this leave.

Retaliation, Discrimination, and Interference Prohibited (Additional Rights under C.R.S. 8-13.3-509)

- Employers may not interfere with employees' rights under FAMLI, and may not discriminate or retaliate against them for exercising those rights.
- Employers may not count FAMLI leave as an absence that may lead to or result in discipline, discharge, demotion, suspension, or any other adverse action.
- Employees who suffer retaliation, discrimination, or interference may file suit in court, or may file a complaint with the FAMLI Division.

Additional Information and General Inquiries regarding the FAMLI program

FAMLI website: <https://famli.colorado.gov>

FAMLI phone: 1-866-CO-FAMLI (1-866-263-2654),
Monday-Friday, 8 a.m. – 4 p.m.

FAMLI email: CDLE_FAMLI_info@state.co.us

For questions about your employer's private plan, please contact your employer.



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Colorado Paid Family and Medical Leave coverage is issued by The Prudential Insurance Company of America, a Prudential Financial Company, Newark, NJ. The Group Contract contains all details, including any policy exclusions, limitations and restrictions, which may apply. (Contract Series: 115588)

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