

**RESOLUTION OF THE BOARD OF TRUSTEES
OF
POUDRE RIVER PUBLIC LIBRARY DISTRICT**

RESOLUTION NO. _____

**DECLINING PARTICIPATION IN THE COLORADO PAID FAMILY AND MEDICAL
LEAVE INSURANCE PROGRAM**

Recitals

Colorado voters approved Proposition 118, in November 2020 which was codified in §§ 8-13.3-501, *et seq.*, C.R.S., establishing the Family and Medical Leave Insurance Program (“FAMLI”) to provide Colorado workers paid leave for qualifying family and medical circumstances.

FAMLI will be funded by premiums paid by Colorado employers, employees, and, independent contractors that elect to participate in the in the program with premium collection commencing January 1, 2023, and benefits beginning January 1, 2024.

FAMLI provides that any “local government” “employer”, as defined by §§ 8-13.3-503(14), 29-1-304.5(3)(b), C.R.S. and § 8-13.3-502(8), C.R.S., may register with the program by January 1, 2023, and a local government employer that fails to register by January 1, 2023, will be deemed a participate in the program.

FAMLI provides in § 8-13.3-522, C.R.S., that a local government employer may decline participation in the program upon a majority vote of its governing body, provided the governing body first holds a public hearing on the matter with prior written notice to employees summarizing the program and vote process and giving employees opportunity to submit comments.

FAMLI also provides that, to avoid being subject to premium collection commencing January 1, 2023, a local government employer must register with the program and provide notice of a decision to decline participation by January 1, 2023.

Any local government employee whose employer declines participation may elect to participate in the FAMLI program as an individual and, a local government employer declining participation may elect to help facilitate its employees’ participation by collecting and remitting the employee premiums.

The Board of Trustees of the Poudre River Public Library District (“District”) held a public hearing at a public meeting held on November 14, 2022 at 4 p.m. at Old Town Library, 201 Peterson Street, and District employees were provided written notice of the public hearing and opportunity to comment on the District’s participation in the program.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE DISTRICT AS FOLLOWS:

1. The Board finds and determines that, with regard to the public hearing on the decision of whether to decline participation in FAMLI, notice was given and the hearing was conducted in accordance with FAMLI and the rules and regulations adopted by the Colorado Department of Labor and Employment.
2. The Board of Directors, acting for an on behalf of the District, hereby declines participation in the FAMLI program.
3. The District *will [will not]* facilitate premium collection and remittance for employees that elect to participate in the FAMLI program.
4. District management shall implement this Resolution consistent with FAMLI and the rules and regulations adopted by the Colorado Department of Labor and Employment.
5. Provided the Board does not subsequently elect to participate in the FAMLI program, the District's declination is effective for eight years from the date of this Resolution, and the Board will determine whether to continue declining participation in the FAMLI program prior to expiration of the eight-year period.

APPROVED AND ADOPTED this ____ day of _____ 2022, by the Board of Trustees.

**POUDRE RIVER PUBLIC LIBRARY
DISTRICT**

By:

Attest:

Secretary/Assistant Secretary