


Overview of Paid Sick Time Laws in the United States

Updated on October 14, 2020

Please note that these paid sick time materials do not represent an exhaustive overview of the state, county, and city paid sick time laws described, and it does not constitute legal advice. It is possible that additional provisions not described in these materials may apply to a worker's specific circumstances or category of employment.

 <p>For more information visit A Better Balance (abetterbalance.org)</p>	Colorado
<p>Who is covered? Note: City/county paid sick time laws cannot cover state government workers, and city, county, and state paid sick time laws cannot cover federal government workers.</p>	Workers employed in Colorado are covered.
<p>Can sick time be used to care for loved ones?</p>	Yes: a person who is related by blood, marriage, civil union, or adoption; a child to whom the worker stands in loco parentis; a person who stood in loco parentis to the employee when the employee was a minor; and a person for whom the employee is responsible for providing or arranging health- or safety-related care.
<p>How is "child" defined?</p>	Any child who is related to the worker by blood, marriage, civil union, or adoption is covered, as well as a child to whom the worker stands in loco parentis.
<p>Can sick time be used for specific "safe time" purposes (related to domestic violence, sexual assault, or stalking)?</p>	Yes, when the worker or the worker's family member is the victim.
<p>Can sick time be used under the law to bond with a new child and/or deal with a family member's death? Note: It is possible that other laws, such as the Family and Medical Leave Act or a state equivalent, could provide eligible workers with unpaid leave for these purposes.</p>	No.
<p>Can sick time be used when a worker's place of work or child's school/place of care is closed by public health officials for a public health emergency?</p>	Yes.
<p>Rate at which workers earn paid sick time?</p>	1 hour for every 30 hours worked; supplemental paid sick time during a declared public health emergency, as described below, is not accrued but rather is provided on the date the public health emergency is declared.
<p>Do workers have different sick time-related rights based on the size of their employer? If so, based on what employer-size threshold(s)?</p>	Not once fully implemented. There is a one year delayed effective date for employers with fewer than 16 employees. Employers with 16 or more employees are required to provide accrued paid sick time beginning on January 1, 2021, while all employers regardless of size must provide paid sick time beginning on January 1, 2022.



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Amount of paid sick time that can be earned under the law per year? (Note: All of these paid sick time laws make it clear that these laws establish a minimum requirement, and employers can provide greater or more generous paid sick time benefits to their workers.)

Up to 48 hours per year. On the date a public health emergency is declared, each employer must supplement an employee's accrued paid sick time to ensure that the worker may take the following amounts of paid sick leave: for workers who normally work 40 or more hours per week, up to 80 hours of paid sick time; for employees who work fewer hours, an amount equal to the amount they work on average or are scheduled to work (whichever is greater) in a 14-day period of time.

When do workers begin to earn paid sick time?

On the law's effective date for accrued paid sick time (January 1, 2021 for those employed by employers with 16 or more employees; January 1, 2022 for those employed by employers with fewer than 16 employees) or at the commencement of employment, whichever is later. Earned paid sick time can be used as it is accrued.

Does unused sick time carry forward to the subsequent year?

Workers are entitled to carry forward up to 48 hours of unused paid sick, but employers are not required to allow workers to use more than 48 hours of paid sick time in a year (unless during a declared public health emergency, when workers receive supplemental paid sick time as described above).

Private Right of Action to go to Court?

Yes. Before commencing a civil action, an individual must first submit a complaint to the Colorado Division of Labor and Employment or make a written demand for compensation and/or other relief to the employer, and the employer has 14 days to respond.

Are there waivers/ exemptions for workers covered by a valid Collective Bargaining Agreement (CBA)?

Workers covered by a CBA in effect on the law's effective date aren't covered if the CBA provides for equivalent or more generous paid sick leave; employees covered by a CBA negotiated after the law's effective date aren't covered if the CBA both expressly waives the law's requirements and provides for equivalent or more generous paid sick leave. An employer signatory to a multi-employer CBA may fulfill the law's obligations by making contributions to a multi-employer fund/plan/program based on the hours of paid sick time each of its workers accrue under the law, as long as the fund/plan/program allows workers to collect paid sick time from it based on hours worked under the CBA and for the purposes specified in the law.

What Agency or Official Enforces the Law?

The Colorado Department of Labor and Employment's Division of Labor Standards and Statistics

For the statewide paid sick time laws: can cities in the state pass paid sick time laws that are broader than the state law?

Yes

Statutory Citation(s)

Colo. Rev. Stat. Ann. § 8-13.3-401 et seq.



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Additional Notes