

ORDINANCE NO. 31

Series 2022

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

**WHEREAS**, the Town of Breckenridge provides more generous benefits than required by Colorado Healthy Families and Workplaces set forth in C.R.S. § 8-13.3-401 et seq., the differences between the state and Town benefits are more fully described in the attached Exhibit A; and,

**WHEREAS**, state law, C.R.S. § 8-13.3-52, provides that a local government may decline participation in the FAMLI program by an affirmative vote of the governing body; and,

**WHEREAS**, the Town has given all Town Employees 30 days advance written notice that this matter is being heard by Town Council and Employees have been informed as to the process as well as the opportunity to submit comments to the Town Council about this proposed decision; and,

**WHEREAS**, the Town Council believes it is in the best interests of the employees of the Town of Breckenridge to decline participation in the FAMLI program.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:**

**Section 1.** The Town Council of the Town of Breckenridge hereby declines participation in the Colorado Paid Family and Medical Leave Insurance Program.

**Section 2.** Notice of the declination of coverage under state law must be made to Town Employees in writing both posted and concerning the declination of coverage. Such notice will comply with all of the requirements set forth under 7 CCR 1107-2 F.

**Section 3.** Notice of this declination along with the date of this decision shall be provided in writing to the Colorado Division of Labor and Employment.

**Section 4.** Pursuant to 7 CCR 1107-2, the decision of Town Council to opt out of FAMLI shall be reconsidered on or before eight years from the passage of this ordinance. The Town must provide the same notice of the decision in writing to the Colorado Division of Labor and Employment.

**Section 5.** The Town Council hereby finds, determines and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

**Section 6.** The Town Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

**Section 7.** This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
PUBLISHED IN FULL this 13th day of September, 2022.

