

Paid Sick Leave Overview for Employers

To help slow the spread of COVID-19 and ensure businesses are operating safely, all Coloradans need access to resources that allow them to safely isolate and quarantine when either ill or exposed to COVID-19. This overview details the paid sick leave rights available to Colorado workers and employer obligations in providing access to paid sick leave to their employees.

HEALTHY FAMILIES & WORKPLACES ACT (HFWA)

Employers in Colorado must provide paid leave as stipulated in HFWA to an employee who:

- has COVID-19 symptoms and is seeking a medical diagnosis;
- is instructed by a government agent or a health care provider to quarantine or isolate due to COVID-19 risk;
- is taking care of someone else due to COVID-19 precautions - either someone ordered to quarantine or isolate, or a child whose school, place of care, or childcare is closed or unavailable; or
- is unable to work due to a health condition that may increase susceptibility to or risk of COVID-19

Because the Public Health Emergency declaration in Colorado was extended as of 12/27/2020, the 2020 requirement of 80-hour COVID leave continues into 2021 with the following stipulations:

- 2021 COVID leave is a new supplement of up to 80 Hours based on an emergency declaration, not a continuation of the 2020 COVID leave that was based on [federal leave law](#).
- Employers with fewer than 16 employees must still provide 80-hour COVID leave, despite not having to provide 48-hour general paid leave until 2022.
- HFWA requires COVID-related paid leave for all employees and employers, in all sectors, industries, and jobs, with only two exceptions:
 - 1) Federal Government
 - 2) Employees who are covered under the federal Railroad Unemployment Insurance Act

Employers are obligated to inform employees of their rights by posting the following poster in an easily accessible area and in the appropriate language: HFWA Poster [English](#) and [Spanish](#) 2021

Additional information can be found on [Interpretive Notice and Formal Opinion #6A](#) for 2020 requirements; [and Interpretive Notice and Formal Opinion #6B](#) and [Interpretive Notice and Formal Opinion #6C](#) for 2021 requirements from the Colorado Department of Labor and



Revised January 25, 2021

Employment. If you have any questions regarding your obligations to provide paid sick leave under HFWA, please call the Colorado Department of Labor and Employment at 303-318-8441.

FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)

From April 1, 2020 through December 31st, 2020, the Families First Coronavirus Response Act (FFCRA) required certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. To determine if you were an FFCRA eligible employer in 2020 and what benefits your employees were entitled to, review this [poster](#) from the Department of Labor.

Eligible employers may be entitled to refundable tax credits for qualified sick leave wages and qualified family leave wages. For more information, review [COVID-19 Related Tax Credits for Paid Sick and Paid Family Leave Overview](#). Please note these tax credits have been extended through March 31st, 2021, for qualifying employers that voluntarily provide paid sick and family leave as established under the FFCRA.

TRI-COUNTY HEALTH DEPARTMENT RESOURCES

Businesses with questions about preventing the spread of COVID-19 in the workplace should contact Tri-County Health Department's Business Reopening Task Force at covidbusinessrecovery@tchd.org or 720-713-6030. For more information on COVID-19 visit www.tchd.org/COVID-19.