

**RESOLUTION  
BOARD OF DIRECTORS OF THE  
EVANS FIRE PROTECTION DISTRICT**

**A RESOLUTION TO DECLINE PARTICIPATION IN THE FAMILY AND MEDICAL LEAVE INSURANCE ACT (“FAMLI”) PROGRAM**

**WHEREAS**, the Evans Fire Protection District ("*District*") is a political subdivision of the State of Colorado, organized pursuant to the Colorado Special Districts Act, C.R.S. § 32-1-101, *et seq.* ("*Act*"), to provide fire suppression, fire prevention, rescue, hazardous materials, and emergency medical services (collectively, "*Emergency Services*") to the citizens and property within its jurisdiction;

**WHEREAS**, the Colorado Family and Medical Leave Insurance Act, C.R.S. § 8-13.5-501, *et seq.* and 7 CCR part 1107 (collectively, "*FAMLI*"), is a state-administered insurance program that provides paid family and medical leave to covered employees;

**WHEREAS**, the District is a “Local Government” employer as defined under FAMLI pursuant to C.R.S. §§ 8-13.3-503 and 29-1-304.5(3)(b);

**WHEREAS**, pursuant to 7 CCR 1107-2, the District, as a Local Government employer, may decline participation in the FAMLI program through an affirmative majority vote by the District’s Board of Directors ("*Board*");

**WHEREAS**, the Board duly posted notice of a public meeting to be held on August 22, 2022 to consider the District’s participation in the FAMLI program, and also published such notice in the Greeley Tribune on August 17, 2022, and invited public comment on the District’s participation in FAMLI program; and,

**WHEREAS**, prior to the public meeting, the District’s employees were provided written notice of the public meeting, and were invited to submit written comments to the Board prior to, and to speak during the public comments portion of, the public meeting regarding consideration of the District’s participation in the FAMLI program.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE EVANS FIRE PROTECTION DISTRICT THAT:**

1. The District, through an affirmative majority vote, declines participation in the FAMLI program and will not contribute to the employer share of premiums or the employee share of premiums of any employee who does not voluntarily elect coverage under the FAMLI program.

2. Although the District has opted out of the FAMLI program, the District further declines to withhold and remit the employee share of premiums for any District employees who voluntarily elect coverage under the FAMLI program. Employees who voluntarily elect coverage under the FAMLI program must submit their premiums directly to the Colorado Division of Family and Medical Leave Insurance.

3. District staff is directed to provide District employees with individual written notice of the Board's decision to decline participation in the FAML I program within 30 days from the date of the public meeting. Such written notice must include:

- a. Explanation of the differences between benefits offered by the FAML I program and any private plan offered by the District.
- b. Statement of which employees, if any, are eligible for job protection under the federal Family and Medical Leave Act (FMLA) benefits or other local provisions, where applicable.
- c. Information regarding the right of District employees to voluntarily opt into the FAML I program and the contact information for the Colorado Division of Family and Medical Leave Insurance.

ADOPTED this 22<sup>nd</sup> day of August, 2022.

BOARD OF DIRECTORS OF THE  
EVANS FIRE PROTECTION DISTRICT

  
Director

  
Director

  
Director

  
Director

  
Director