



FAMLI vs FMLA

It's important to note that Colorado's **Paid Family and Medical Leave (FAMLI)** differs from the federal **Family and Medical Leave Act (FMLA)**. The notable differences include:

- **FAMLI** is paid, job-protected leave
- **FMLA** is unpaid, job-protected leave
- Most Colorado employees working for a business of any size are eligible for **FAMLI**
- Employees who work for businesses with less than 50 employees don't qualify for **FMLA**
- Most workers are eligible for **FAMLI** leave from day one of employment
- Employees who have worked for their current employer for less than 1 year do not qualify for **FMLA**
- **FAMLI** offers job protection when employed 180 days before the start of their paid leave
- **FMLA** offers job protection after working 1,250 hours within 12 months
- Self-employed workers are eligible to voluntarily opt into the **FAMLI** program

FAMLI is designed to run concurrently with **FMLA**. If **FAMLI** leave is used for a reason that also qualifies as leave under **FMLA**, then the leave also counts as **FMLA** leave. **FMLA** is managed by the federal government, and all questions should be directed to the US Department of Labor.

Life happens. FAMLI has you covered. Learn more at famli.colorado.gov.



COLORADO
Family and Medical Leave
Insurance Program (FAMLI)
Department of Labor and Employment

About FMLA

- Federal law approved by Congress
- Eligibility determined by employer
- Required at most workplaces with 50+ employees
- The employer must have at least 50 employees within 75 miles of your workplace for you to qualify
- Must work 1,250 hours with the employer during the 12 months prior to leave
- Applies to all public agencies including local, state and federal employers, and local education agencies (schools) regardless of employee count
- Employer can require you to use sick time, paid time off, etc while using FMLA

- Eligibility for leave and job protection after 365 days of employment
- May be available for part-time and seasonal workers, see *The Employee's Guide to the Family and Medical Leave Act*
- Provides 12 workweeks of unpaid leave



About FAMLI

- Colorado law approved by voters
- Coverage may be though the Colorado FAMLI Division or a private plan approved by the FAMLI Division
- Required at most workplaces with at least one Colorado employee, with the exception of opted-out local governments and federal government employers
- Workers are eligible for FAMLI leave from day one of employment if they have met the wage requirement
- Available for most workers including full-time, part-time, or seasonal employees who have earned \$2,500 in wages in Colorado, within the previous five quarters.

- Eligibility for job protection after 180 days of employment
- Employers can't require employees to use accrued vacation, sick leave, or other paid time off before or while receiving FAMLI. For more information please see the [FAMLI & Other Types of Leave webpage](#)
- Provides up to 12 weeks of paid leave and includes partial wage replacement based on average weekly wages
- The application portal is on the FAMLI website