



Policy Number 3.3.19

Chapter: Administration

Title: Exempt (Non-Classified) Employee Benefits

Division/Department: Administration/Human Resources

Policy Administrator: Director of Human Resources

Adoption Date: February 16, 1994

Revision Dates: 2/26/2025

1. PURPOSE

This policy provides a general overview of the benefits, including leave, that the Auraria Higher Education Center (AHEC) provides to employees that are exempt from the state personnel system. Navigating the benefits available to Colorado state employees, particularly the various types of leave, can be challenging. Please contact the Human Resources Department for more specific information on this subject.

2. DEFINITIONS

2.1. Exempt or Non-Classified Employee: An employee at AHEC that is determined to be outside of the state personnel classified employment system based on the nature of their position and the duties they perform.

3. POLICY

3.1 Retirement Plan: Exempt Employees participate in the State Public Employees Retirement Association (PERA) program.

3.2 Insurance: Health, life and disability insurance is provided through group plan programs established from time to time. Current insurance benefits for Exempt Employees are set forth in the most recent [CHEIBA Trust Employee Benefits Guide](#). Additional life insurance and disability benefits are available through PERA.

3.3 Accrued Paid Leave - Annual and Sick.

3.3.1 Annual Leave

- Annual leave is used for personal needs, such as vacation, and requires advanced approval by a supervisor or appointing authority.

- Exempt Employees earn 14 hours of annual leave per month. Annual leave is earned at the end of the month and is available for use the first day of the following month. Borrowing against future leave is not allowed.
- On July 1 of each year, Exempt Employees forfeit all accrued annual leave exceeding 336 hours.
- Upon termination, Exempt Employees are paid for all accrued, unused annual leave up to a maximum of 336 hours.

3.3.2 Sick Leave:

- Sick Leave may be used for the health care needs of the Exempt Employee or certain family members; grieving or attending the funeral or memorial service of a family member; caring for certain family members whose school or place of care has been closed because of inclement weather; or evacuating a residence because of inclement weather or loss of utilities.
- Health care needs include mental or physical illness; medical examination and treatment; injury; and conditions of pregnancy causing physical inability to work.
- Exempt Employees earn 10 hours of sick leave per month.
- Upon termination, Exempt Employees forfeit all accrued sick leave unless the employee retires, resigns under certain circumstances, or dies. In these cases, employees or their estate shall be compensated for one-fourth of their accrued sick leave, up to a maximum of 360 hours.
- Supervisors who suspect abuse of sick leave should consult with the Human Resources Department.

3.4 Family Medical Leave – FMLA, SFML, PFML, and FAMLI.

The Federal government and the State of Colorado have both passed laws that protect employees when certain qualifying life events occur. The Family Medical Leave Act (FMLA) provides the most general amount of protection to employees, and the State Family Medical Leave Act (SMLA) allows additional time off for Colorado residents qualifying for FMLA. The Paid Family Medical Leave Act (PFML) is another state benefit that may be used only if an employee qualifies for FMLA or for Safe Leave. Finally, the Family and Medical Leave Insurance (FAMLI) program is another state-administered benefit that may be used concurrently with FMLA or separately from FMLA. This is a general overview of these categories of leave, but this is a complex area of state and federal law.

Please consult the Human Resources Department if you have any specific questions.

3.4.1 Family Medical Leave Act (FMLA) and State Family Medical Leave (SFML):

- FMLA and SFML provide up to 520 hours of unpaid leave (12 weeks Federal, 1 week State) with job protection and continued benefits to eligible Exempt Employees who experience a qualifying event.
- Qualifying events include an employee's serious health condition, birth of a child, placement of a child with the employee for adoption or foster care, care for a family member with a serious health condition, or a qualifying exigency arising out of the fact that an employee's spouse, child, or parent is a covered military member on "covered active duty."
- The AHEC Benefits Administrator in the Human Resources Department must provide an FMLA designation for this benefit to apply.

3.4.2 Paid Family Medical Leave (PFML):

- PFML functions alongside FMLA. If you qualify for both FMLA and PFML based on eligibility, both programs may be used simultaneously.
- PFML is used to provide up to 160 hours of paid FMLA leave to eligible Exempt Employees for certain qualifying events.
- Approval of PFML may be provided in concurrence with an FMLA designation from the Benefits Administrator in the Human Resources Department.

3.4.3 Family and Medical Leave Insurance (FAMLI):

- The FAMLI program is a Colorado benefit that provides eligible Exempt Employees a portion of their weekly salary for up to 12 weeks of leave, to care for themselves or a family member (with an additional four weeks of leave for complications during pregnancy or childbirth).
- Eligible Exempt Employees can use FAMLI leave to care for a new child, including adopted and fostered children (must be used within child's first 12 months with employee); care for themselves or a family member regarding a serious health condition; make arrangements for a family member's military deployment; and address the immediate safety needs and impact of domestic violence and/or sexual assault.

- Employees must give prior written notice as soon as practicable before taking FAML I leave, which is generally considered to be 30 days prior to taking leave.
 - FAML I leave may be used continuously, intermittently, or in the form of a reduced work schedule. Each use has its own conditions and will be evaluated separately.
 - Refer to the [FAML I Toolkit](#) for more information on the program regarding qualifying reasons to take FAML I leave, benefit payment frequency details, required documents, and for more links to the [My FAML I+ application portal](#) as well as a portal user guide and how-to videos.
- 3.5 There are various other types of leave that an Exempt Employee may be able to take advantage of (including Administrative Leave, Holiday Leave, Jury Leave, and Military Leave). Employees should confer with the Human Resources Department regarding application of these additional types of leave.
- 3.6 Leave Proration. All leave accruals/amounts set forth herein will be prorated for part-time employees.
- 3.7 Leave Donation: Exempt staff may participate in the AHEC leave donation program. Contact the Human Resources Department for further information on this program.
- 3.8 Leave of Absence: A leave of absence may be pre-authorized by the CEO for stated periods not to exceed six months. A leave of absence may not count toward service benefits or rights. While on a pre-authorized leave of absence, the employee may continue benefits coverage by timely paying both the employee and the employer's share of the cost.
- 3.9 Leave Without Pay: Leave without pay is not considered an official leave type and may be approved by an appointing authority on a case-by-case basis. Excessive leave without pay may lead to disciplinary action, up to and including termination. The employee may continue benefits coverage by timely paying both the employee and the employer's share of the cost.

4 APPROVAL AND ADOPTION

This Policy has been reviewed and approved by the Board of Directors for the Auraria Higher Education Center.

Date: February 26, 2025

Approved by: /s/ Kate Barton
Chairperson of the Auraria Board