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On August 4, 2009, Colorado companies with 50 or more employees must provide up to 18 hours of unpaid leave a year to allow their employees to attend certain academic activities for their children, under Colorado's Parental Involvement Act. Employees may take up to six hours of leave a month, but can also elect to use paid sick or vacation leave instead of the unpaid leave.

Colorado Employees Now Entitled to Academic Activities Leave

By Margaret Parnell Hogan and Stephanie L. Hankin

Beginning August 2009, Colorado employers must provide employees with up to 18 hours of unpaid leave per academic year to participate in their children's academic activities. On June 1, 2009, Colorado Governor Bill Ritter signed the Parental Involvement in K-12 Education Act ("Parental Involvement Act") into law.¹ The new law requires Colorado employers to provide nonsupervisory employees with up to 18 hours of unpaid leave time per academic year to participate in parent-teacher conferences and other school-related meetings.

The Parental Involvement Act applies to employers with at least 50 employees and covers both public and private entities. The statute provides for time off for a defined list of academic activities, such as parent-teacher conferences and meetings related to special education services, dropout prevention, attendance/truancy, and disciplinary issues. Under the new statute, full-time employees are entitled to up to 18 hours of unpaid leave during the academic year, but no more than six hours of leave in a one-month period. Part-time employees are entitled to a prorated amount of leave.

Under the Parental Involvement Act, employers may require that leave be taken in no longer than three-hour increments and that employees provide written verification of the academic activity from the school. Further, employees must give notice to their employers of their need for leave at least one calendar week in advance, except in emergency situations. The new law also permits employers to deny a request for leave when the employee's absence would endanger a person's health or safety or would result in a halt of service or production.

Under the Parental Involvement Act, employees may request, or employers may require, that accrued paid leave be substituted for unpaid leave. If an employer already provides comparable leave to its employees, the employer is not required to provide employees with any additional leave.

Other Mandatory Leaves

- The Parental Involvement Act expands the list of required leave time under Colorado law. Other situations in which Colorado employers are required to provide leave time include: elections; jury service; and pregnancy disability.
- Colorado employers are also required to provide leave time to certain individuals including: victims or witnesses in a criminal proceeding; adoptive parents; and volunteer emergency responders.

Recommendations

Colorado employers should revise their policies regarding the use of parental involvement leave and develop internal procedures for implementing this leave time. Once completed, employers should train supervisors and Human Resources representatives on the Parental Involvement Act.

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¹ Other states with similar leave laws include California, Illinois, Louisiana, Massachusetts, Minnesota, North Carolina, Rhode Island, Vermont, and Washington, D.C.