

June 19, 2020

EMERGENCY RULEMAKING JUSTIFICATION

Part 1: State of Disaster Emergency. On March 10, 2020, Colorado Governor Jared Polis declared a State of Disaster Emergency as the number of identified coronavirus COVID-19 cases in Colorado and in the United States increased, and announced numerous emergency measures to protect public health and safety, including directing that immediate emergency rulemaking be initiated.

In light of Executive Order 2020 003, II, I-J the need exists to provide continuity of government operations that require certain staffing levels to obtain safe and effective results. The State Personnel Director is promulgating these emergency rules governing state workers whom were not given the reasonable opportunity to use requested annual leave up to eighty (80) hours over the maximum accrual allotment and may be carried over at the discretion of the department and employee. The over accrued annual leave amount will roll over to the next fiscal year on July 1, 2020 and is available to the employee to use; and to allow sick leave balances to go negative up to forty (40) hours once all accrued sick, annual, and compensatory leave is exhausted. Subsequent sick leave accruals will be credited to the negative balance.

Part 2: The State of Colorado, under the authority of the State Personnel Director, entered into a new contract for short-term disability. The new contract is in effect on July, 1 2020. New permanent rules are effective August 1, 2020. These emergency rules are to bridge the gap between July 1, 2020 and the permanent rules effective August 1, 2020.

The State Personnel Director is exercising her rulemaking authority as granted under one or more of the following: Executive Order 2020 003; 24-33.5-701 et seq, C.R.S; Article XII of the Colorado Constitution.

This emergency rule shall go into effect July 1st, 2020. Pursuant to the Administrative Procedures Act C.R.S. §24-4-103(6), an emergency rule can only be in effect for a maximum of 120 days.



Kara Veitch, State Personnel Director
Department of Personnel & Administration