**Equal Pay for Equal Work Act**

*Background*

The [*Equal Pay for Equal Work Act*](https://leg.colorado.gov/bills/sb19-085) was signed into law on May 22, 2019. This law is effective on January 1, 2021, and amends Colorado law and provides new wage discrimination and employer provisions that differ from federal law and other state equal pay laws.

CU Denver|Anschutz Medical Campus, along with other CU campuses and system office, has been evaluating the requirements of the new law and reviewing existing policies and pay practices for alignment. Executive leadership, human resources, and legal counsel are leading this effort. To help each of the campuses assess current compensation policies and processes and to identify whether factors such as gender are statistically impacting pay, an external consultant (Aon) was retained in early 2020. This work is being conducted under attorney-client privilege, with a Steering Committee consisting of representatives from HR, Faculty Assembly and Staff Council. Findings from this study are expected to be available in late November and will be communicated based on Aon counsel.

In the meantime, in preparation for January 2021, campuses are working to operationalize the following requirements which are specified in the EPEWA:

*Requirement Plan for Compliance/Responsibility*

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| Post all jobs with a hiring salary range or rate (including faculty positions)  A posted compensation range may extend from the lowest to the highest pay the employer in good faith believes it might pay for the particular job, depending on the circumstances. An employer may ultimately pay more or less than the posted range, if the posted range was the employer’s good-faith and reasonable estimate of the range of possible compensation at the time of the posting | Central HR will add the hiring salary range for university staff and classified positions to job postings.  For university staff positions, the range is the minimum to a max that will be determined soon.  For classified positions, the range is the minimum to the 25th percentile.  Schools/Colleges will add range or hiring rate to postings for faculty (more details to come on this process once finalized). |
| Announce promotional opportunities (excluding natural progression promotions)  A “promotional opportunity” exists when an employer has or anticipates a vacancy in an existing or new position that could be considered a promotion for one or more employee(s) in terms of compensation, benefits, status, duties, or access to further advancement | Central HR will create and post a document defining natural progression for all employees to access.  Schools/departments will ensure promotions are posted in place of requesting appointment types.  Promotions will be posted on CU Careers.  Interim, acting and temporary appointments for up to six months are allowed. |
| Employers are prohibited from:   * Seeking the wage rate history of a prospective employee or requiring disclosure of wage rate as a condition of employment * Relying on a prior wage rate to determine a wage rate * Discriminating or retaliating against a prospective employee for failing to disclose the employee's wage rate history | Search committee members, central HR, and department, school/college HR Business Partners are responsible for communicating this new requirement as part of the search and promotion process. |
| Ensure that salaries for hires or promotions do not cause equity issues and are justified based on the following factors:   * Education, training, or experience (internal and external) to the extent that they are reasonably related to the work in question * seniority system (time in role) * merit system * geographic location * shift/travel impacts * quality/quantity of production | Hiring and promotional salaries for university staff and classified staff will be reviewed by central HR before any verbal offer is made. Approvals will be facilitated as quickly as possible.  A pre-hire tool is being finalized that can be used by HR Business Partners to submit requests for review of salaries.  School/College will determine if faculty salary at hire or promotion is justified based on allowable factors.  Retention /counter offers will require review to ensure they do not cause equity issues.  A tool/method to collect prior CU experience will be necessary. Central HR is working through ideas on this process. |
| Maintain job descriptions and salary history records for each of our employees | Central HR maintains job descriptions and salary analysis documentation for university staff and classified staff.  Faculty descriptions and salary justifications are maintained in schools and colleges.  Job postings are considered job descriptions. |

Policies and processes are being revised to include the requirements above and will be made available as soon as complete. A web page and FAQ document will be created with additional information and will be shared once ready.

If you have questions, please contact:

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**Healthy Families and Workplaces Act**

*Background*

The [Healthy Families and Workplaces Act](https://leg.colorado.gov/bills/sb20-205) is effective on January 1, 2021. The Act requires employers to provide paid sick leave to employees under certain circumstances.

CU Denver|Anschutz Medical Campus, along with other campuses and system office, is evaluating the requirements of the new law and are preparing for the implementation of the new leave requirements including programming in My Leave, CU Time, and HCM to accommodate new requirements.

In preparation for January 2021, working to operationalize the following requirements:

*Requirement Plan for compliance/responsibility*

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| Add state sick leave accruals for the following:  Temporary staff (university staff, classified staff, temporary researcher)  Student Faculty  Student Workers  Lecturers  Working Retirees  Part time faculty  \*Note – Predocs and those paid on a stipend are not eligible for leave accrual  Secondary Appointments | Leave accruals for these groups will be driven by pay group. Employee Services is programming systems for compliance.  The new state sick plan will accrue at a rate of 0.033 hours per hour worked. Unlike existing accrual programs, there is no per-month cap on the accrual granted. Employees can earn up to 48 sick leave hours per fiscal year.  To prepare for use of My Leave, schools/departments will ensure data clean-up occurs before January 1, 2021, including reports to accurate in HCM, FLSA, and FTE accurate, pay group consistent so accrual is generated in HCM. See link below - resource guide to help with these efforts.  Schools/colleges will ensure consistency in pay groups to help with data integrity.  Proposed: There will be no additional accrual for secondary appointments such as chairs, faculty directors, or 9 month faculty on active summer appointments. Relevant polices and administrative policy statements are being reviewed and revised for clarification of leave eligibility for these types of appointments. |
| Leave accrual for the following will continue to be outside of HCM. We must ensure we can report accruals, usage, and balances with a central reporting tool  Post Docs  Residents/Fellows  9 Month Faculty | Central HR exploring reporting tool for compliance purposes.  Post Docs will remain in current pay group, but will not accrue leave in HCM.  Residents  Accrual must occur at beginning of employment vs. as needed. Looking at policy related to this group.  9 month faculty accruals:  Currently: 11 days per *completed* academic year.  Proposed: 5.5 days populated at beginning of each semester and leave can be used during the summer for 9 month faculty who have active appointments. |
| Leave maximum of 48 hours per fiscal year | Systems are being programmed to capture accruals. |
| Leave payout | State sick leave is not paid out at termination or retirement. |
| Reinstatement of Leave | If an employee separates and returns within 6 months unused state sick leave must be reinstated. |
| Additional paid sick leave during a public health emergency | In addition to the above, on the date a public health emergency is declared, each employee’s accrued paid sick leave will be supplemented in the following manner if their balance is below the required minimum:   * For employees who normally work 40 or more hours per week, at least 80 hours * For employees who normally work fewer than 40 hours in a week, at least the greater of either the amount of time the employee is scheduled to work in a 14-day period or the amount of time the employee actually works on average in a 14-day period |
| Reasons sick leave may be used | Employees may use accrued paid sick leave to be absent from work for the following purposes:   * The employee has a mental or physical illness, injury, or health condition; needs a medical diagnosis, care, or treatment related to such illness, injury, or condition; or needs to obtain preventive medical care; * The employee needs to care for a family member who has a mental or physical illness, injury, or health condition; needs a medical diagnosis, care, or treatment related to such illness, injury, or condition; or needs to obtain preventive medical care; * The employee or family member has been the victim of domestic abuse, sexual assault, or harassment and needs to be absent from work for purposes related to such crime; or * A public official has ordered the closure of the school or place of care of the employee's child or of the employee's place of business due to a public health emergency, necessitating the employee's absence from work. |

Policies (Regent Policy 11e, Administrative Policy Statement 5062, and campus policies) and processes are being revised to include the requirements above and will be made available when complete.

A page specific to [Healthy Families and Workplaces Act](https://www1.ucdenver.edu/offices/human-resources/colorado-healthy-families-and-workplaces-act) is live and includes important information including an FAQ that will continue to be revised as additional decisions are made. Training for My Leave for employees, supervisors, and HR Business Partners will be scheduled in January, 2021.

If you have questions, please contact:

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