



## **Chapter 5      Time Off**

Authority for rules promulgated in Chapter 5, Time Off, is found in:

State of Colorado Constitution Article XII, Section 13, The Family Medical Leave Act (FMLA), Americans with Disabilities Act (ADA), Family Care Act (FCA), Uniformed Services Employment and Reemployment Rights Act (USERRA), The Patient Protection and Affordable Care Act (PPACA), commonly called the Affordable Care Act (ACA), Healthy Families and Workplace Act, the Public Health Emergency Whistleblower Act and 26 U.S.C. 63.

State of Colorado Revised Statutes (C.R.S.) §1-6-115, 1-6-122, 1-7-102, 8-13.3-404, 8-40-101, 14-2-101, 14-15-103, 24-11-101, 24-11-112, 24-18-102, 24-33.5-825, 24-50-104, 24-50-109.5, 24-50-401, 24-50-1104, 28-1-104, 28-3-601, 28-6-602, 28-3-607, 28-3-609, and 28-3-610.

### **Accrued Paid Leave**

5-4.

appointing authority. The appointing authority may establish periods when annual leave will not be allowed, or shall be taken, based on business necessity. These periods cannot create a situation where the employee does not have a reasonable opportunity to use requested leave that will be subject to forfeiture. If the department cancels approved leave that results in forfeiture, the forfeited hours shall be paid before the end of the fiscal year. (5/1/10)

- A. Due to the declaration of a state of emergency by the Governor, as defined in the Colorado Disaster Emergency Act, if annual leave was denied, canceled or the employee was not given reasonable opportunity to use the requested annual leave, resulting in annual leave

1. Sick leave shall be charged first;
- 2.