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**STATEMENT FOR THE RECORD BEFORE THE COLORADO DEPARTMENT OF LABOR  
& EMPLOYMENT, FAMLI DIVISION**

October 29, 2024  
Hunter Nelson, Colorado Director  
Small Business Majority

Thank you, Tracy Marshall and Evan Grimes:

My name is Hunter Nelson and I'm the Colorado Director for Small Business Majority, a small business organization with offices nationwide, including here in Colorado. Our mission is to empower America's diverse entrepreneurs to build a thriving and equitable economy. I am here to share comments on the Colorado Family and Medical Leave Insurance Program (FAMLI) and its continued implementation.

Small Business Majority strongly supported the ballot initiative that established FAMLI, and we continue to be strong advocates to ensure it's working as intended for small business owners and their employees. As we approach the one-year anniversary of FAMLI benefits being available to Colorado workers, it's especially important to ensure that self-employed Coloradans—who are solo entrepreneurs—are included.

In particular, we're supportive of:

**7 CCR 1107-5: Private Plan Rules:** We appreciate this rule requiring insurance carriers to notify the FAMLI Division of any lapse in private plan coverage within 14 days of the lapse occurring or if coverage ends. Due to patterns of instability in the private insurance market, it is important for employers electing a private plan that the FAMLI Division is notified of any lapses in coverage so small business owners and their employees are protected and covered.

We would also like to comment on the following proposed rules and suggest additional changes:

- **7 CCR 1107-1: Premiums and Individuals Electing Coverage:** Self-employed workers need flexibility and a lack of punitive rules that would be a deterrent to opt-in. For example, the proposed rule requiring both quarterly documentation and annual tax documentation would be burdensome. We ask the Colorado Department of Labor and Employment (CDLE) to adopt an either/or approach to not overburden self-employed individuals who want to opt-in to the FAMLI program.
- **7 CCR 1107-3: Benefits and Employer Participation Requirements Rules:** English is not the primary language of many entrepreneurs or their employees. We are supportive of ensuring language access and believe that it's important that CDLE uses a client's preferred language in the FAMLI application process (1107-3.6.9) to make the program more accessible. Additionally, it is important to ensure that workers do not have to overcome more strenuous standards of proof in the application process (1107-3.9.7; 3.9.8). The application process should be as easy to understand and complete as possible so that small business owners and their employees aren't overburdened as they try to access the benefits they need.
- **Demographic Data:** We would also like to comment on the lack of additional demographic data that has been missing from current collection practices. Demographic data on those applying for and utilizing FAMLI benefits can help inform the FAMLI Division on who may not be applying for and receiving benefits. This can help inform the FAMLI Division on

targeted outreach efforts to these populations on what FAMLII is and how they can apply. This is especially important for non-English speaking entrepreneurs and small business owners of color.

We appreciate the opportunity to testify and comment on these proposed rules, as it helps ensure that small business advocates and entrepreneurs can appropriately weigh in on rules that will impact them and their ability to access paid family and medical leave. As we approach the one-year anniversary of FAMLII benefits being available to Coloradans, your action on these proposed rules will contribute to its successful implementation.

Thank you,

Hunter Nelson  
Colorado Director, Small Business Majority