

Colorado Department of Labor and Employment
FAMLI Division
633 17th St., Suite 600, Denver, CO 80202

October 17, 2023

To Whom It May Concern,

The undersigned members of the Colorado Language Access Coalition (CLAC) strongly encourage the Colorado Department of Labor and Employment to incorporate meaningful language access into its implementation of the Colorado FAMLI program.

The number of Colorado residents with Limited English Proficiency (LEP) has grown approximately 30 percent since 2000, reaching nearly 315,000 in 2021.¹ Among naturalized citizens living in Colorado, 31.4 percent are LEP. Title VI of the Civil Rights Act of 1964 requires recipients of federal financial assistance to take reasonable steps to make their programs, services and activities accessible by eligible persons with limited English proficiency. This includes providing linguistic services, such as interpretation and translation.²

In keeping with these requirements, and in support of the rights of *all* Coloradans no matter their preferred language, CLAC requests that CDLE's FAMLI Division adopt/maintain meaningful language access across all FAMLI rules, including:

- 7 CCR 1107-3 (3.7.2 and 3.7.3):

*We support 3.7.3, requiring employers to post program notices in “English, Spanish, and in any language representing the first language spoken by at least five percent of the employer's workplace.”³ We recommend revision of 3.7.2. Under the current rule, employees must themselves request notice in their preferred language (if not covered above). To ensure LEP employees are properly informed of their rights and to reduce the burden on LEP individuals who may not be aware of the FAMLI program, we instead recommend **that the employer be responsible for initiating delivery of notice in the employee's first language, with translations made available by CDLE upon request, assuming the employer's reasonable awareness of the employee's language needs.***

- 7 CCR 1107-7 (7.6); 7 CCR 1107-8 (8.11); 7 CCR 1107-9:

¹ [Migration Policy Institute Colorado State Demographics](#)

² [Limited English Proficiency \(LEP\) | HHS.gov](#)

³ [Amendments to Benefits and Employer Participation Requirements Rules, 7 CCR 1107-3](#)

*We appreciate the inclusion of language accessibility within 7 CCR 1107-7. We request that CDLE add similar requirements to 7 CCR 1107-8 and 1107-9. This addition will promote meaningful language access for **all** individuals across **all** portions of the FAMILI program (including appeal and enforcement).*

*Regarding enforcement and investigation, we believe CDLE should **readopt rule 8.11** (ensuring meaningful language access throughout both processes).*

***All forms and communications related to appeal should be made readily accessible in the participant's preferred language.** Additionally, we recommend CDLE include language access, interpretation, and translation in proposed rule 9.7.2.*

Thank you for your commitment to the civil rights of all Colorado residents. Please contact Kate Greuel (kgreuel@springinstitute.org) with any questions or concerns.

Sincerely,

The Colorado Language Access Coalition
Spring Institute
Colorado Statewide Parent Coalition
American Friends Service Committee, Colorado
Colorado Common Cause
International Rescue Committee
Mountain Dreamers
Women's Lobby of Colorado