



## NOTICE OF EMPLOYEE RIGHTS UNDER THE CONNECTICUT FAMILY AND MEDICAL LEAVE ACT (CTFMLA) & CONNECTICUT PAID LEAVE ACT (CTPL)

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### CONNECTICUT DEPARTMENT OF LABOR AND CONNECTICUT PAID LEAVE AUTHORITY

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#### LEAVE ENTITLEMENT AND ELIGIBILITY:

The CTFMLA provides eligible employees, after 3 consecutive months on the job, up to 12 weeks of unpaid, job-protected leave during a 12-month period for qualifying family or medical leave reasons. Employees are entitled to return to their same job at the end of leave. The CTPL provides income replacement benefits to eligible employees who are unable to work for the same leave reasons. These leave options may run at the same time.

Qualifying reasons for leave include:

- The birth of a child and care within the first year after birth;
- The placement of a child with employee for adoption or foster care and care for child within the first year after placement;
- To care for a family member with a serious health condition. Family includes spouse (the person to whom one is legally married), sibling, son or daughter, grandparent, grandchild or parent, or an individual related to the employee by blood or affinity;
- Because of the employee's own serious health condition;
- To serve as an organ or bone marrow donor;
- To address qualifying exigencies arising from a spouse, son, daughter or parent's active duty service in the armed forces; or
- To care for a spouse, son, daughter, parent or next of kin with a serious injury or illness incurred on active duty in the armed forces.

It also allows eligible employees to receive two extra weeks of leave (up to a total of 14 weeks) in connection with an incapacity that occurs during pregnancy. CTFMLA further allows eligible employees to take up to 26 weeks of leave in a single 12-month period to care for a covered servicemember with a serious injury or illness.

Employees may also take up to 12 days of leave to deal with the effects of family violence separate from leave time available under state or federal law. While this is not protected under CTFMLA, it is protected under the Connecticut Family Violence Leave Act and an employee can apply for CTPL in connection with these absences.

Leave does not have to be taken all at once. Employees may take leave intermittently (in separate blocks of time) or to reduce their work schedule.

CTFMLA leave is unpaid. However, an employer may require, or an employee may request to use their accrued, paid time off. An employee may choose to preserve up to 2 weeks of their accrued, paid time off. This accrued, paid time off is in addition to the income-replacement benefits available to employees under CTPL.

#### **APPLYING FOR INCOME-REPLACEMENT BENEFITS UNDER CTPL**

Wage replacement benefits under the CTPL may also be available for CTFMLA absences. More information about Connecticut's Paid Leave program and instructions for how to apply are available at <https://ctpaidleave.org/>.

Some employers have received approval from the CT Paid Leave Authority to provide CTPL benefits to their employees through an approved private plan instead of through the state's CTPL program. Employers that have approved private plans are required to notify their employees how to file claims for benefits through their private plan and who the employees can contact for answers to questions about their plan. CTPL benefits are available for up to 12 weeks in a 12-month period, with an additional two weeks available to an employee for incapacity or medical treatment during pregnancy. Benefits are limited to 12 days for leave to deal with the effects of family violence.

#### **EMPLOYER NOTIFICATION FOR CTFMLA LEAVE**

Employees should provide at least 30-days advance notice to their employer of the need to take CTFMLA leave if they can. If they are unable to because they do not know they need leave, the employee must provide notice as soon as they can. An employer may require a medical certification to support a request for leave.

#### **WHAT IS PROHIBITED?**

The CTFMLA prohibits employers from:

- Interfering with or denying any rights provided by the CTFMLA or CTPL. Examples include, but are not limited to, improperly refusing to grant CTFMLA leave or discouraging employees from using CTFMLA leave or applying for CTPL benefits.

- Disciplining, terminating, discriminating against, or retaliating against any individual for taking CTFMLA leave or applying for CTPL benefits, for opposing or complaining about any unlawful practice, or being involved in any proceeding related to the CTFMLA.

If you believe that your CTFMLA rights have been violated, you can either file a complaint directly in Superior Court or with the Connecticut Department of Labor.

To file a CTFMLA complaint with the Connecticut Department of Labor, complete and submit the appropriate CTFMLA complaint form found on the Department's website found at [THE CONNECTICUT FAMILY & MEDICAL LEAVE ACT and CT PAID LEAVE APPEALS](#).

More information about the CTFMLA is available at [THE CONNECTICUT FAMILY & MEDICAL LEAVE ACT and CT PAID LEAVE APPEALS](#) and CTPL at <https://ctpaidleave.org/>.



# Connecticut Paid Leave

## HOW TO APPLY

1

Notify

Notify your employer that you will be applying for CT Paid Leave. You should also talk to your employer about job-protected leave under FMLA.

2

Apply

Start your application at [ctpaidleave.org](https://ctpaidleave.org) or by calling CT Paid Leave's claims administrator at **(877) 499-8606**.

3

Submit All Documents

Once you begin your application, you will receive the documents that you will need to complete and submit for your claim to be ready for review. Requirements include identity verification, employment verification, and documents to support the leave reason.

4

Receive Decision

If your claim is approved, you will receive benefits via direct deposit or debit card. If your claim is denied, you can request a reconsideration with CT Paid Leave or file an appeal with the CT DOL.

5

Receive CT Paid Leave Benefits

Payments are issued on Tuesdays. You must notify CT Paid Leave if your leave changes, such as if you need more time or if you return to work sooner than anticipated.

Visit [ctpaidleave.org](https://ctpaidleave.org) or scan to learn more





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## Who is required to participate?

- Your employer must participate in the CT Paid Leave program if they have any activity, enterprise or business in Connecticut with one or more employees (including non-unionized state employees).
- As an employee, you must participate in the CT Paid Leave program unless you are specifically excluded by law (See "Who is excluded from participating?" below).
- Sole proprietors or self-employed individuals who are CT residents may choose to opt-in but are not required to do so.

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## Who is NOT a covered employer?

- Federal government
- State of Connecticut, except as to "covered public employees"\*
- Municipalities, unless their unionized employees collectively bargain to participate
- Employees of local or regional boards of education, unless their unionized employees collectively bargain to participate
- Employees of non-public elementary or secondary schools
- Railroads
- Governments of other states
- Sovereign nations (including federally recognized tribes, unless they enter into an agreement with the Governor of CT to participate)

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## Is CT Paid Leave the same as FMLA?

- NO. CT Paid Leave only offers payment for qualifying leave reasons but does NOT offer job protected leave, which is provided under FMLA.
- Federal and state Family & Medical Leave Acts (FMLA) describe the rules for job-protected leave and are NOT paid leave laws.
- CT FMLA oversight is provided by the CT Department of Labor.
- Workers must apply directly to their employer for job-protected leave pursuant to FMLA or other laws.

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## What are qualifying events for CT Paid Leave Benefits?

- **Medical Leave:** to receive treatment for or recover from one's own serious health condition (includes pregnancy and serving as an organ/bone marrow donor).
- **Bonding Leave:** to bond with a new child that has entered the home through birth, adoption, or foster care.
- **Caregiver Leave:** to care for a family member experiencing a serious health condition.
- **Safe Leave:** to address certain issues arising from family violence and/or sexual assault.
- **MILITARY SPECIFIC:**
  - **Qualifying Exigency Leave:** to engage in certain activities arising from a spouse, child, or parent who is on federal active duty, or has been notified of an impending call or order to federal active duty in the Armed Forces
  - **Military Caregiver Leave:** to care for a family member who is a member of the military and who has experienced a serious injury or illness that occurred in the line of active duty in the Armed Forces.

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## What makes you eligible to receive CT Paid Leave benefits?

- Minimum of \$2,325 in wages in at least one of the first 4 of the 5 most recently completed quarters (wages may be combined from more than one covered employer), and fit into one of the following categories:
- Currently employed and working in CT, or
- Currently unemployed but had been employed and working in CT in the 12 weeks immediately preceding the leave.



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## What are employee contributions?

- The program is funded through employee contributions.
- Employees have contributions of 1/2 of 1% (0.5%) of their wages deducted from each paycheck.
- Contributions are made from wages up to the defined Social Security wage base (using the same calculations for determining total wages as are used to calculate FICA) and are done through payroll deduction.
- Total wages for an employee include the gross earnings from their employer(s): salary or hourly wages, vacation pay, holiday pay, tips, commissions, severance pay, etc.

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## Can you receive CT Paid Leave and other income replacement benefits at the same time?

- Covered employees may receive compensation from CT Paid Leave at the same time as receiving income replacement benefits from their employer (for example, use of paid time off, short-term disability, etc.)
- Combined compensation cannot exceed 100% of a worker's regular rate of compensation. Worker may not receive CT Paid Leave compensation at the same time they are receiving Unemployment Compensation, Worker's Compensation, or any of other state or federal
- benefit that provides wage replacement.
- If you have questions about how CT Paid Leave will integrate with employer-provided benefits like short-term disability, talk to your employer.

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## How long can you receive CT Paid Leave benefits?

- Up to 12 weeks of benefits are available in a 12-month period for most leave reasons.
- An additional two weeks may be available for incapacitation during pregnancy. These two weeks can also be used for routine pre-natal appointments.
- Up to 12 days of benefits are available for safe leave reasons.
- Benefits are based on earnings and are capped at 60x state minimum wage.

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## In what different ways can leave be taken?

- Leave can be taken in the following formats:
  - Block leave – Absence taken as a consecutive span of time for a single qualifying reason.
  - Reduced schedule – A leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday, for a period of time (normally from a full-time schedule to a part-time schedule.)
  - Intermittent leave – Leave in separate, non-consecutive time periods rather than a single span of time for a single qualifying reason.

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## How can you apply for CT Paid Leave?

- Start your claim online at [ctpaidleave.org](http://ctpaidleave.org)
- Call our third-party claims administrator at (877) 499-8606
- When you start your application, we will let you know what documents we need before we can evaluate your claim.
  - Identity verification
  - Employment verification form (completed by your employer)
  - Documents to support your leave reason (example: medical certification forms, court orders, military orders, adoption documents, etc.)

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**[CTPaidLeave.org](http://CTPaidLeave.org)**