

## **FMLA and CTFMLA Overview**

### **CT Paid Leave Benefit**

Residents with (3) or more months of employment are eligible for CT Paid Leave, which will be paid in accordance with the Capital Area Health Consortium's (CAHC) CT Paid Leave Private Plan. You may be eligible for the CT Paid Leave benefit sooner if you have previously worked in Connecticut.

The rates of pay are as follows:

- **Medical/Maternity Leave** –100% of pay for the Health Provider approved leave period (not to exceed 12 weeks of pay or 14 weeks of pay if incapacitated by pregnancy). If additional time is needed after the health provider time expires and the leave qualifies under the family leave rules, the rate of pay will fall under the Non-Medical/Family Leave discussed below.
- **Non-Medical/Family Leave** –paid in accordance with the State's benefit rate; which is 60 times the minimum wage rate for the remainder of their approved leave period (not to exceed 12 weeks of pay). Effective 7/1/2022, the maximum weekly rate of pay is \$840.

### **Accrued Time Requirement**

For **Medical Leaves**, vacation and sick time (if program provides) must be used and for **Family Leaves**, vacation must be used toward the leave with the exception of 2 weeks' vacation time that may be reserved for use after the leave period.

### **Qualifying Leave Reasons Under CT Law**

- **Medical Leave** – to care for your own serious health condition.
- **Non-Medical/Family Leaves** – to attend to family responsibilities.
  - **Parental Leave** to bond with a newborn child or one that has joined the family through adoption or foster care.
  - **Caregiver Leave** to care for a covered family member with a serious health condition.
  - **Family Violence Leave** to attend to specific issues associated with family violence.
  - **Military Exigency or Military Caregiver Leave** to attend to specific issues associated with a covered family member's deployment, or to care for an active duty injured service member.

## **Leave Paperwork**

All leaves of absence require specific paperwork verifying the need for leave and its beginning and ending dates. Early submission of this paperwork will help us to provide you with continuous pay so please submit as soon as possible. Required leave applications are available at [CT Paid Leave – CAHC](#). Please contact CAHC to obtain specific leave paperwork. Please be advised that all leave paperwork including return to work notes must be returned to CAHC and not to your program.

## **Requesting Leave**

In the case of foreseeable leaves, you must provide at least 30 days' notice to CAHC and your program before the leave begins. If the leave is unforeseeable, you must provide notice to CAHC and your program as soon as practicable.

## **Return from Leave**

When possible, a resident should provide their program and CAHC with at least 2 weeks' advance notice of the date they intend to return to training.

A return to work note from the residents healthcare provider stating that they are able to resume work duties is required for all **Medical Leaves** of absence 3 days or more or following any hospital visit (ED or inpatient) and must be submitted to CAHC prior to your return to work.

If a resident is unable to return following a leave, they must contact CAHC and their program as soon as possible.

## **Time Away from Training**

Taking any leave may extend the time necessary to complete the program requirements. If more than 12 weeks of leave time is needed, the time will be unpaid and additional time off must be approved by your program.

**FEDERAL FAMILY MEDICAL LEAVE (FMLA) AND  
CT FAMILY MEDICAL LEAVE (CTFML) POLICIES**

## **CT FAMILY AND MEDICAL LEAVES OF ABSENCE (CTFMLA), FEDERAL FAMILY AND MEDICAL LEAVE (FMLA) AND CT PAID FAMILY AND MEDICAL LEAVES OF ABSENCE (CTPFML)**

### **Overview**

Under the Connecticut Family and Medical Leave Act (“CTFMLA”) and the Federal Family and Medical Leave Act (“FMLA”), residents may be eligible for family and medical leaves of absence for specified reasons. Residents may also be eligible for paid leave benefits after using available vacation and sick time (if program provides) as described below.

Under CTFMLA, residents who have worked for CAHC for at least 3 months are eligible for up to 12 weeks of leave in a 12-month period, up to 14 weeks for incapacitation during pregnancy, up to 12 days for family violence leave and up to 26 weeks for military caregiver leave.

Under FMLA, a resident who has worked for at least 12 months and for at least 1,250 hours during the preceding 12-month period may take up to 12 weeks of leave in a 12-month period, except that an eligible resident may take up to 26 weeks of leave to care for a covered service member, as explained below.

A resident who is eligible for leave under only one law will receive benefits in accordance with that law only. However, if the resident’s leave qualifies for both CTFMLA and FMLA, the leave will count against their entitlement under both laws and run concurrently. If the resident and their spouse are both employed by CAHC, special rules may apply, and their combined leave may be limited.

### **Calculation of 12-Month Period**

The 12-month period is measured backward from the date an employee uses any family and medical leave. Under this “rolling” 12-month period, each time an employee takes family and medical leave, the remaining leave entitlement would be the balance of the 12 weeks that has not been used during the immediately preceding 12 months.

### **Qualifying Reasons for CTFMLA and FMLA**

Residents may apply for a family and medical leave under the CTFMLA and FMLA for the following reasons:

1. The birth of a son or daughter of the employee, or to bond with a newborn or newly placed child via adoption or foster care, including the time needed to process adoption or foster care placement;
2. Under the FMLA, to care for a parent, spouse, or child who is under 18 with a serious health condition, or under 18 with a disability;

3. Under the CTFMLA, to care for a family member of the employee if the family member has a serious health condition.
  - Family member is defined as a parent, spouse, son or daughter of any age, sibling, grandparent, grandchild, or an individual related to the employee by blood or affinity whose close association to the employee shows to be the equivalent of those family relationships.
  - Related by affinity means any person with whom the employee has a significant personal bond that is like one of the family relationships noted above, regardless of biological or legal relationship.
4. To care for the employee's own serious health condition, which under the CTFMLA includes the employee serving as an organ or bone marrow donor and incapacity due to pregnancy.
5. Under the CTFMLA, if the employee is experiencing family violence, the employee may apply to take up to 12 days of leave.
6. For any qualifying exigency arising out of the fact that the spouse, son, daughter or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the armed forces and to care for a military family member who experienced a serious injury or illness during active duty.
7. A serious health condition is defined by law and means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or continuing treatment by a health care provider.

### **Procedures**

All requests for leave should be directed to Michelle Nielson from CAHC at [nielson@uchc.edu](mailto:nielson@uchc.edu), who will provide the resident with all necessary forms.

### **Eligibility for Paid Leave**

CT Paid Family and Medical Leaves of Absence (CTPFML) is available to eligible residents (those who are currently employed or have been employed by CAHC within the last 12 weeks and have earned wages of at least \$2,325 in the highest earning quarter of the first four of the five most recently completed quarters) who require time off from work duties to fulfill covered family and medical events provided for in the CTFMLA, which are outlined above and described more fully below in the Medical and Non-Medical Leave policies. For military service personnel or spouses of military service personnel in the military or military reserves. All decisions regarding paid leave are in accordance with CAHC's private plan.

## **MEDICAL LEAVE**

Residents who have been employed for 3 months or more and require time off from their work duties to care for their own serious health condition (emergent or non-emergent) as defined under Connecticut law are eligible for CT Family and Medical Leave and may also be eligible for Federal Family and Medical Leave. Available leaves will run concurrently. Medical leave eligibility requires a treating health care provider's Certification verifying the need for medical leave and its beginning and expected ending dates. Residents are required to use their available vacation time and sick time (if program provides) at the beginning of the leave period (while reserving two weeks' of vacation time).

Once available sick (if program provides) and vacation time in excess of 2 weeks is applied, a resident may be eligible to receive CT Paid Leave benefits administered by CAHC's private plan. Medical leaves extending past the treating health care provider's statement will be paid at the State's benefit rate; which is capped at 60 times the minimum wage rate for the remaining period of absence (not to exceed 12 weeks or 84 days in a twelve-month period). A resident may elect to use their reserved vacation time to supplement the State's rate cap and receive additional pay if request is submitted to CAHC in writing. Medical leaves extending past 12 weeks will be unpaid and will be classified as "Other Leave".

Residents who have been employed for less than 3 months and require time off may take time off unpaid at the direction of their program.

## **Maternity Leave**

Maternity Leaves are available to all eligible residents who are unable to work due to pregnancy related conditions. Residents may be eligible under the Connecticut Family and Medical Leave Act and the Federal Family and Medical Leave Act. Residents may also be entitled to CT Paid Leave benefits administered by CAHC's private plan. Employees eligible for CT Paid Leave are eligible for an additional 2 weeks of leave and paid leave benefits, up to a total of 14 weeks or 98 days, if incapacitated by pregnancy and supported by a treating health provider's Certification. All available leaves will run concurrently.

The resident may be eligible for [Long Term Disability](#) benefits for medical/maternity leaves if required leave is greater than 90 days. The Capital Area Health Consortium can provide information regarding this process. CAHC and your program should be notified as soon as possible if there is a chance you might apply for such benefits.

A treating healthcare provider's Certification verifying the need for medical/maternity leaves and its beginning and expected ending dates must be submitted to the Capital Area Health Consortium with the resident's request for leave, if possible, and in any event, no later than 15 calendar days after the request for leave unless the employee can demonstrate that it is not practicable to do so despite good faith efforts. It is critical and required that the resident also notify their program as soon as it is known that a medical/maternity leave of absence is needed.

When possible, the resident is required to provide their program and the Capital Area Health Consortium with at least two weeks' advanced notice of the date they intend to return to training.

Upon return from medical/maternity leave, the resident must provide a note from their treating healthcare provider indicating that they are fit to return to training. If a resident is fit to return to training as determined by their treating healthcare provider but fails to report to work promptly at the end of the medical/maternity leave, their appointment with the UConn SODM and their employment with the CAHC may be terminated.

If a resident is unable to return to training after 12 weeks of medical leave (14 weeks if incapacitated by pregnancy), they must contact CAHC and their program as soon as possible.

The status of a resident who is unable to return to training after 12 weeks of medical leave (14 weeks if incapacitated by pregnancy) will be determined by their program. The position of the resident may or may not be held.

Taking any leave may extend the time necessary to complete the program requirements. Residents are responsible for understanding their program requirements for program completion.

## **OTHER NON-MEDICAL CTFMLA AND FMLA LEAVES AND CT PAID FMLA LEAVE**

### **Family Leaves Including Parental Leave**

Residents who have been employed for 3 months or more and need to care for a family member with a serious health condition, bond with a newborn child or one that has joined the family through adoption or foster care, for exigent circumstances, or family violence as defined under Connecticut law are eligible for CT Family and Medical Leave and may also be eligible for Federal Family and Medical Leave and may be eligible for CT Paid Leave benefits administered by CAHC's private plan. Available leaves will run concurrently. Family leave eligibility requires leave paperwork verifying the need for leave and its beginning and expected ending dates. Residents are required to use their available vacation time at the beginning of the leave period (while reserving two weeks' of vacation time).

Once available vacation time is exhausted, a resident may be eligible to receive CT Paid Leave benefits, which will be paid in accordance with the State's benefit rate; which is 60 times the minimum wage rate for the remaining period of absence (not to exceed 12 weeks or 84 days in a twelve-month period). A resident may elect to use reserved vacation time to supplement the State's rate cap and receive additional pay if request is submitted to CAHC in writing. Family leaves extending past 12 weeks will be unpaid and will be classified as "Other Leave".

Residents who have been employed for less than 3 months in need of family leave may take an unpaid leave at the direction of their program.

To the extent applicable, any family/parental leave, CT Family and Medical Leave, Federal Family and Medical Leave and CT Paid Leave will run concurrently.

The resident needing family/parental leave must submit required paperwork to the Capital Area Health Consortium. A resident must provide their program as much notice of the need for a family/parental leave as is practicable under the circumstances. . At the very least, a resident should provide not less than 30 days advance notice of the need for leave, when the leave is foreseeable. When not foreseeable, a resident must notify CAHC as soon as practicable, and certainly within two (2) business days of learning of the need for leave, except in extraordinary circumstances. Notice of the need for leave should be provided to Michelle Nielson @ [Nielson@uchc.edu](mailto:Nielson@uchc.edu).

Requests for family/parental leave to care for a covered family member with a serious health condition must be accompanied by a treating healthcare provider's Certification verifying the need for the leave, its beginning and expected ending dates, if possible,

and in any event, no later than 15 calendar days after the request for leave unless the resident can demonstrate that it is not practicable to do so despite good faith efforts.

When possible, the resident is required to provide their program and the Capital Area Health Consortium with at least two weeks' advanced notice of the date the resident intends to return to training. When a resident returns from family/parental leave, the program will determine their status in the program specifically as it relates to extension of training.

If a resident fails to report to work promptly at the end of the family/parental leave, their appointment with the UConn SODM and their employment with the CAHC may be terminated.

If a resident is unable to return to training after 12 weeks of family/parental leave, they must contact CAHC and their program as soon as possible.

The status of a resident who is unable to return to training after 12 weeks of family/parental leave will be determined by the program. The position of the resident may or may not be held.

Taking any leave may extend the time necessary to complete the program requirements. Residents are responsible for understanding their program requirements for program completion.

## **MILITARY LEAVE**

Military Leaves are available to residents who have been employed for 3 months or more and require time off to address specific exigent circumstances associated with the deployment of a parent, spouse or child to overseas military duty are eligible for paid leave, as well as the need to care for a current member of the armed forces who suffered a serious injury or illness incurred in the line of duty as defined under Connecticut law are eligible for CT Family and Medical Leave and may also be eligible for Federal Family and Medical Leave. Residents may be eligible for CT Paid Leave benefits administered by CAHC's private plan. Available leaves will run concurrently. Military leave eligibility requires leave paperwork verifying the need for leave and its beginning and expected ending dates. Residents are required to use their available vacation time at the beginning of the military leave (while reserving two weeks' vacation time).

Once available vacation time is exhausted, a resident may be eligible to receive CT Paid Leave benefits administered by CAHC's private plan which will be paid in accordance with the State's benefit rate; which is capped at 60 times the minimum wage rate for the remaining period of absence (not to exceed 12 weeks or 84 days in a twelve-month period). A resident may elect to use the reserved vacation time to supplement the State's rate cap and receive additional pay if request is submitted to CAHC in writing. Military leaves extending past 12 weeks will be unpaid.

Residents who have been employed for less than 3 months in need of a military caregiver leave or to attend to specific issues associated with a qualifying exigency may take an unpaid leave at the discretion of their program.

Residents must submit the necessary paperwork (including a treating physician Certification in the case of a leave to care for a current member of the armed forces who suffered a serious injury or illness incurred in the line of duty) to support their leave request and return to the Capital Area Health Consortium.

When possible, the resident is required to provide their program and the Capital Area Health Consortium with at least two weeks' advanced notice of the date the resident intends to return to training. When a resident returns from military leave, the program will determine their status in the program.

If a resident fails to report to work promptly at the end of the military leave, their appointment with the UConn SODM and their employment with the CAHC may be terminated.

If a resident is unable to return to training after 26 weeks of military family leave, they must contact CAHC and their program as soon as possible.

The status of a resident who is unable to return to training after 26 weeks of military leave will be determined by the program. The position of the resident may or may not be held.

Taking any leave may extend the time necessary to complete the program requirements. Residents are responsible for understanding their program requirements for program completion.

If, during the course of training and employment, a resident volunteers for military service (not as a non-military contractor or employee), fulfills military training requirements, is required to serve active duty, required to perform training or required to provide emergency services in the Armed Forces of the United States, the resident and the spouse of a military service person shall be granted an unpaid leave of absence from the program and employment in accordance with the law. Further, in accordance with the law, the resident shall have employment, training, and reemployment rights in accordance with the requirements of state and or federal law, including the Uniformed Services Employment and Reemployment Rights Act, as amended, and/or regulations issued thereunder, and the U.S. and Connecticut Family and Medical Leave Acts, consistent with program requirements and accreditation standards. This includes any rights to Federally-recognized spousal or military reserve leaves. The resident or spouse shall have no right to additional compensation or benefits, except as required by law.

Taking any leave (especially when multiple leaves or absences occur in the same year) may extend the time necessary to complete the program requirements for completion. Residents are responsible for understanding their program requirements for program completion.

Any and all leaves must be approved by the program.