

If you (or a family member) have a serious health problem, a special law called the Family and **Medical Leave Act (FMLA)** could give you the right to take time off from work to care for your child, parent, spouse, or yourself.

Does the FMLA cover me?

The **federal FMLA** covers you if

- there are 50 or more employees at your workplace; and
- you have worked at least 1,250 hours during the last 12 months (not counting vacation, holidays, or sick leave).

The **state of Connecticut FMLA** covers you if

- there are 75 or more employees at your workplace; and
- you have worked at least 1,000 hours during the last 12 months (not counting vacation, holidays, or sick leave).

When does the FMLA cover me?

The federal and state FMLA cover you if you, your child, your parent, or your spouse has a serious health problem.

How does the FMLA define a serious health problem?

FMLA says a serious health problem is when you or your child, parent, or spouse are

- unable to work or go to school for more than 3 days,
- in the hospital or other inpatient facility, or
- under the continuous care of a health provider.

The state of Connecticut FMLA also covers you if the sick person is your parent-in-law or your civil union partner.



FMLA also covers time off to care for a veteran who was injured on active duty or who has a serious health problem. The vet must be your spouse, child, parent, or next-of-kin.

Does the FMLA cover maternity leave?

Yes. The federal and state FMLA cover you for maternity leave, for a newly adopted child, or for a foster child.

Your employer may require you to use your vacation days or sick leave before you can use FMLA leave.

Will I get paid during my FMLA leave?

No. FMLA leave is not paid.

How much leave can I get?

The federal FMLA allows up to 12 weeks of unpaid leave per 12-month period. The state of Connecticut FMLA allows up to 16 weeks of unpaid leave per 24-month period (or up to 24 weeks if you are a state of Connecticut employee).

NEED HELP?

Call us for help



Statewide Legal Services

1-800-453-3320

860-344-0380

Search our website for help



www.ctlawhelp.org

Do I have to take my leave all at once?

No. You can take it in a way that meets the sick person’s medical needs. You can

- take it all at once,
- take it as needed, or
- reduce your regular hours – for example, so you can go to weekly doctor’s appointments.

Will I lose my health benefits while I am on leave?

No. Your employer must continue your health benefits while you are on leave. You will continue to pay the same amount for your benefits.

Your employer must also continue providing the same coverage for any other benefits you may have, such as life and disability insurance, sick leave, educational benefits, and pension.

Can I get my old job back after my leave is over?

You have the right to get your old job back. If that job isn’t available, your employer must give you a similar job with equivalent pay.

If you took the leave because you were sick and you can’t do your old job anymore, the state of Connecticut FMLA law (but not the federal FMLA law) says your employer must give you a job that is suited to your physical condition.

How do I tell my employer that I want to take FMLA leave?

Tell your supervisor as soon as possible that you need to take a leave and explain why. Unless it’s an emergency, you must give 30 days’ notice or as much notice as you can.

Note: You do not have to ask for the leave in writing, but it is better if you do.

After you tell your supervisor, someone from your company should explain both your state and federal FMLA rights and tell you what documents and other information you will need to provide.

Important! To protect your job, follow all of your employer’s rules for requesting FMLA leave.

What if my employer does not know about FMLA rights?

Your employer can learn more about FMLA rights from the CT Department of Labor website at www.ctdol.state.ct.us/wgwkstnd/fmla.htm.

What if my employer fires me because of my FMLA leave?

It is against the law for your employer you to

- refuse to give you FMLA leave;
- limit your FMLA leave;
- fire you because you took, are currently taking, or want to take FMLA leave; or
- punish you because you took FMLA leave.

Call the following organizations for information on the FMLA, to help you file a claim, or if you have a problem with your employer because of your FMLA leave:

- CT Department of Labor: 860-263-6790
- U.S. Department of Labor: 866-487-9243

This information is based on laws in Connecticut as of November, 2017. It is not intended as legal advice for an individual situation. Please call Statewide Legal Services or contact an attorney for additional help. www.ctlawhelp.org