If you have a serious health condition, a special law called the **Family and Medical Leave Act (FMLA)** could give you the right to take unpaid time off from work. You may also be able to take time off to care for your child, your parent, or your spouse.

**Note:** The Connecticut FMLA also covers civil union partners.

**How does the FMLA define a serious health condition?**

A serious health condition means the person is unable to work, go to school, or engage in regular daily activities for more than three days in a row and

- they need follow-up care by a doctor,
- they are in the hospital or other inpatient facility, or
- they have a chronic serious health condition.

You may also be able to take time off under the FMLA

- while you are pregnant,
- after you give birth,
- after your spouse gives birth,
- when you adopt a child, or
- when you become a foster parent.

You may be able to take time off to care for a child, spouse, or parent who is a military service member and was injured on active duty or has a serious health condition.

And you may be covered if you need to take time off to donate an organ or bone marrow.

**Will the FMLA apply to me?**

Here are some of the basic requirements in order for the FMLA to apply to you:

The **federal FMLA** may apply if

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

The **Connecticut FMLA** may apply if

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

**How much leave can I get?**

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

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

**Do I have to take my leave all at once?**

No. If you meet certain requirements, FMLA time can be taken in a way that meets the sick person’s medical needs as requested by their health care provider. You can

- take FMLA time all at once;
- take it in intervals; or
- reduce your regular hours (for example, so you can go to weekly doctor 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 job back after my leave is over?**

The FMLA protects your right to return to work after your leave is over. You should be given your original position or an equivalent position with the same pay, benefits, terms, and conditions of employment.

If you cannot perform your original job duties because of your health condition, the Connecticut FMLA says the employer must transfer you to a job that you are physically able to perform, if possible.

If you have a physical or mental disability, you may have additional rights under the Americans with Disabilities Act and the Connecticut Fair Employment Practices Act.

**How should 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. You do not have to ask for the leave in writing, but it is better if you do. Your employer will probably ask for proof of your serious health condition, so try to have your medical documentation ready to give the employer when you ask for the leave.

After you tell your supervisor, your employer 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 the FMLA?**

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 if you are entitled to it under the law;
- limit the amount of FMLA leave;
- discipline, discriminate against, or fire you because you took, are currently taking, or asked to take leave.

For more information on your rights under the FMLA, to get help filing a claim, or if you have a problem with your employer because of your FMLA leave:

- Visit the Connecticut Department of Labor’s website at www.ctdol.gov or call 860-263-6790
- Visit the U.S. Department of Labor’s website at www.wagehour.dol.gov or call 866-487-9243.

For further information about your rights under the Americans with Disabilities Act or under Connecticut law as an employee or job applicant with a physical or mental disability, visit the Equal Employment Opportunity Commission at www.eeoc.gov/laws/types/disability.cfm or the Connecticut Commission on Human Rights and Opportunities at www.chro.gov. You can also call the CHRO at 860-566-7710.

*This information is based on laws in Connecticut as of February 2019. 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*