



## DEPARTMENT OF ADMINISTRATIVE SERVICES

450 Columbus Boulevard, Suite 1501, Hartford, CT 06103

DATE: February 3, 2023

RE: General Letter No. 217-A – Reinstatement from Medical Leave Temporarily on a Part-time Basis

### **PURPOSE**

General Letter 217-A allows an agency the discretion to effect a temporary change in position status from full-time to part-time to facilitate the return to work on a part-time basis of an employee who is an individual with a disability, as defined by state or federal law, if the agency determines that such temporary change is a reasonable accommodation that will enable the employee to perform the essential functions of their position. This is not an entitlement to the employee; rather, it is an option for an agency to consider as part of the interactive process of implementing reasonable accommodations. This policy does not apply to the disability period following the birth of a child nor is it permitted for bonding following the birth, adoption or foster care of a child. This document replaces General Letter No. 217-A dated September 7, 2018.

### **POLICY**

This letter authorizes an agency to make a temporary change in an employee's position status from full-time to part-time if the agency determines that such temporary change in status would be a reasonable accommodation as defined by the Americans with Disabilities Act (the ADA) or the Connecticut Fair Employment Practices Act (CFEPA). Approval is subject to agency operating needs and criteria specified below as it relates to the Federal Family and Medical Leave Act (FMLA) and C.G.S. §31-51kk, (State FMLA), on a case-by-case basis.

### **SCOPE**

This General Letter applies to all full-time employees with a disability as defined above in the Executive Branch, including higher education who meet the criteria specified in this policy.

### **INTERACTION WITH THE STATE FAMILY AND MEDICAL LEAVE POLICY**

- Medical Illness or Injury in Conjunction with Federal FMLA – The employee shall exhaust their Federal FMLA entitlement, if eligible, before a work schedule change under General Letter 217-A may be implemented as Federal FMLA allows for intermittent leave and reduced leave schedule.
- Medical Illness or Injury in Conjunction with State FMLA – The employee shall exhaust their State FMLA entitlement, if eligible, before a work schedule change under General Letter 217-A may be implemented as State FMLA allows for intermittent leave and reduced leave schedule.
- Medical Illness or Injury in Conjunction with SEBAC Supplemental Leave – Because there is no provision under SEBAC Supplemental Leave for intermittent or reduced schedule leave for a medical leave of absence, there is no requirement to exhaust SEBAC Supplemental Leave prior to the approval of a part-time schedule under General Letter 217-A.
- This General Letter does not provide for a temporary change in position status following the birth, adoption or foster care of a child.

## RESPONSIBILITIES

Employees shall:

- **Make a request for a reduced schedule in writing to the appointing authority. The request shall include:**
  - Medical documentation certifying that the employee is able to work on a reduced schedule;
  - The employee's anticipated return to work date (if applicable);
  - The anticipated length of the temporary part-time schedule, not to exceed six months for the original request;
  - The requested number of hours per week; and
  - The specific days the employee will work, if less than five.

All agencies shall:

- Ensure the employee has exhausted all applicable leave entitlements under both Federal and State FMLA prior to approval.
- Send written verification to the employee of approval, including start and end dates of the approval period.
- Advise the employee about how a change to a part-time status will affect the employee's leave accruals and benefits.
- Consult with agency legal counsel or the Office of the Attorney General regarding its rights and responsibilities under the ADA and CFEPA.

## PROCEDURES

### *Full-time to Part-time:*

When a permanent, full-time employee has been approved to return to work on a part-time basis under this General Letter, the appointing authority must convert the position and the employee from full-time to part-time using the following method:

- A Position General Change request must be completed in Core-CT converting the position to part-time for a maximum period of six months. The assigned DAS HR Business Partner and the Office of Policy and Management must approve the transaction. Agencies are advised to reference this General Letter in the justification.
- Upon approval of the Position General Change, enter Data Change/General Data Change in Job Data and change the Full/Part time field to Part time, change the Standard Hours field to the new standard hours and include the approved (part-time employment) end date in Employment Data – Appointment End Date Field.

### *Extension of Part-time:*

Extensions beyond six months may be requested by the employee and may be approved at the agency level if the agency determines that an extension would be a reasonable accommodation to the employee pursuant to the ADA and CFEPA. Extensions may be granted in up to three (3) month increment(s) and for up to one year. A change in work schedule under this General Letter is at the discretion of the agency, on a case-by-case basis, and is subject to an agency's operating needs.

- The Appointment End Date Field (on the Employment Data Page in Core-CT) should reflect the expiration date of the last approved extension.

### *Return to Full-time from Part-time:*

When the employee returns to work on a full-time basis, the appointing authority must convert the position and the employee from part-time to full-time using the following method:

- A Position General Change request must be completed in Core-CT converting the position to full-time. The assigned DAS HR Business Partner and the Office of Policy and Management must approve the transaction. Agencies are advised to again reference this General Letter in the justification.
- Upon approval of the Position General Change returning the position to full-time, enter Data Change/General Data Change in Job Data and change the Full/Part time field back to Full time, change the Standard Hours field to the full time value and remove the end date in Employment Data – Appointment End Date Field.

### **POST AUDIT**

All transactions under this General Letter are subject to post-audit by DAS Human Resources Policy and Information Systems Unit.

### **OTHER**

Appointing authorities are responsible for the following when making decisions concerning temporary changes in position status under this policy:

- Responding to any administrative and/or legal challenges to a temporary change in position status from full-time to part-time.
- Maintaining the security and confidentiality of all temporary part-time approval materials.
- Meeting all document retention requirements.
- Responding to all requests for information under the Freedom of Information Act (FOIA).

Please contact DAS Human Resources Policy and Information Systems for questions regarding this policy.