

# FMLA POLICY

---

## Federal Family and Medical Leave Act of 1993

### INTRODUCTION

The Federal Family and Medical Leave Act of 1993 requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. As a DOL employee you are covered by the Federal Family and Medical Leave Act of 1993, which runs concurrently with the state act.

### Reasons For Taking A Leave

Unpaid leave must be granted for any of the following reasons:

- To care for the employee's child after birth or during placement for adoption or foster care.
- To care for the employee's spouse, child or parent who has a serious health condition.
- For a serious health condition that makes the employee unable to perform on the job.

At the employee's or employer's option, certain kinds of paid leave may be substituted for unpaid leave.

### Advance Notice And Medical Certification

You may be required to provide advance leave notice and medical certification to take advantage of the provisions of the act. Taking of family and medical leaves may be denied if requirements are unmet.

You ordinarily must provide 30-day advance notice when the leave is foreseeable.

The department may require medical certification to support a request for leave because of a serious health condition and may require second or third opinions (at the agency's expense) and a fitness-for-duty report to return to work.

### Job Benefits And Protection

For the duration of the family and medical leave, the agency must maintain the employee's health coverage under any group health plan.

Upon return from the leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

The use of such leave may not result in the loss of any employment benefit that accrued before the start of the leave.

# FMLA POLICY

---

## Unlawful Acts By Employers

The federal act makes it unlawful for the Connecticut Department of Labor to:

- Interfere with, restrain, or deny the exercise of any right provided under the act.
- Discharge or discriminate against any person for opposing any practice made unlawful by the act or for involvement in any proceeding under or relating to the act.

## Enforcement

The U.S. Department of Labor is authorized to investigate and resolve complaints of violations.

An eligible employee may bring a civil action against the agency for violations.

The Family and Medical Leave Act affects no federal or state law prohibiting discrimination nor does it supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

## For Additional Information

For more information, you may contact the nearest office of the [Wage and Hour Division](#) listed in most telephone directories under U.S. Government, Department of Labor.

- Note: DOL employees may also be eligible for benefits under the state's [Family and Medical Leave provisions](#).

## Family and Medical Leave Legislation

- [Employee Request For FMLA](#) (FMLA-HR1) (fillable) (PDF, 117KB)
- [Intent to Return to Work](#) (FMLA-HR3) (fillable) (PDF, 20KB)
- [Medical Certificate Form - Employee's Illness - \(P-33A\)](#) (PDF, 111KB)
- [Memo Regarding Employee's Illness](#) (PDF, 650KB)
- [Medical Certificate Form - Family Member's Illness - \(P-33B\)](#) (PDF, 101KB)
- [Memo Regarding Family Member's Illness](#) (PDF, 239KB)

**PLEASE NOTE: If you need to submit form P33-A, you must provide your practitioner or physician with a copy of your job specification, so they may be able to answer question 5b.**

To access and download your current job description, go to:

<http://das.ct.gov/HR/JobspecNew/JobSearch.asp>

If you have any questions please contact Human Resources at (860) 263-6685.