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Connecticut Paid Family and Medical Leave Program (CPFML)

Disclaimer: This document is meant to summarize some of the main points regarding the new program but in no way is comprehensive or complete. Please reach out to us for additional information.

Public Act 19-25 creates a state-administered Family and Medical Leave Insurance (FMLI) Program, which amends the CT Family and Medical Leave Act (FMLA) in various ways.
www.CTPaidLeave.Org

TIMELINE

Employer Registration is Now Open:

<https://login.ct.gov/ctidentity/registration?goto=https://ctpaidleave.org/login>

January 1, 2021:

Employers must begin withholding payroll tax from employees and remitting program contributions.

January 1, 2022:

Covered employees can start taking paid family and medical leave

This program includes Amendments to **CT STATE FMLA effective: January 1, 2022**

ELIGIBILITY

(1) An individual who has earned at least \$2,325 from one or more employers within 4 of the 5 most recently completed calendar quarters and

- (a) is employed by an employer,
- (b) has been employed by an employer in the previous 12 weeks, or



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- (c) is self-employed or a sole proprietor who elected to enroll in the FMLI program (initial 3-year commitment); or
- (2) is a covered public employee

BENEFITS

- CT FMLI provides up to 12 workweeks of family and medical leave compensation to covered employees during any 12- month period
- Plus 2 additional weeks of compensation for incapacitation due to pregnancy

CHANGES TO PAYROLL TAXES

- The CT FMLI will be funded through employee payroll taxes via a payroll deduction. Employers do not contribute to the program, but employers are responsible for withholding contributions from employee wages and remitting them to the state.
 - The FMLI Authority determines annually the amount of the payroll tax. It is currently set for one-half of one percent (0.5%) of an employee's wages. Employers will withhold 0.5% of each employee's gross wages until the employee earns above the Social Security wage base (For 2020, the Social Security contribution limit is \$137,700).
 - Example: An employee earns \$1,500 biweekly. An employer would withhold \$7.50 ($\$1,500 \times 0.005$) from their wages for CPFML and contribute it to the state.
 - Trust assets are used to pay FMLI benefits, pay operational and administrative costs of the FMLI Authority, educate and inform individuals about the FMLI program and pay operational, administrative and investment costs of the Trust

HOW DOES IT WORK?

- To receive pay, a covered employee must notify the FMLI Authority and their employer of the need for leave in a form and manner prescribed by the Authority and, – upon request of the Authority, provide certification of the need for leave.
- Payment is calculated as follows:
 - 95% of the covered employee's base weekly earnings up to an amount equal to forty times the minimum fair wage, PLUS



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- 60% of the covered employee's base weekly earnings above an amount equal to 40 times the minimum wage, except that the total weekly compensation shall not exceed 60 times the minimum wage
- A covered employee cannot receive FMLI pay if receiving unemployment or workers' compensation benefits, or any other state or federal program that provides wage replacement.

QUALIFYING LEAVE REASONS

Connecticut employees can take up to 12 weeks of paid family leave if they have a qualifying reason. Employees who need to take leave for a serious health condition during pregnancy may be able to take up to 14 weeks of paid leave. Employees can use paid family and medical leave to:

- Deal with a serious health condition
- Care for a family member with a serious health condition
- Bond with a newly born, adopted, or fostered child
- Donate an organ or bone marrow
- Deal with a situation related to the military deployment of a family member
- Handle situations related to family violence

CONNECTICUT'S STATE FAMILY MEDICAL LEAVE GUIDELINES

- Connecticut FMLA runs concurrently with any federal entitlement.
- Covered Employees: In order to be eligible for FMLA leave, an employee: (1) must have worked at least 12 months (need not be consecutive) for the employer; (2) must have worked at least 1,250 hours during the 12 months immediately preceding the date of commencement of FMLA leave; and (3) must work at a work site within 75 miles of which that employer employs at least 50 employees.
 - Effective January 1st, 2022, Under CT FMLA, an "eligible employee" means an employee who has been employed for at least 3 months immediately preceding his or her request for leave by the employer with respect to whom leave is requested.
- If eligible, an employee can take as many as 16 weeks of leave under the Connecticut FMLA during any 24-month period. The Organization will measure the leave period as a "rolling" 24-month period measured backward from the date an employee uses any leave under this policy.



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- Connecticut law does not require the Organization to pay for an employee's health benefits while he or she is on a leave governed by Connecticut law. For instance, if an employee takes 16 weeks of unpaid leave for the birth of a child, he or she would be responsible for the full premium during the final four weeks of leave through COBRA (The Consolidated Omnibus Budget Reconciliation Act which give workers and their families who lose their health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances).
- No employee will be discharged or discriminated against for exercising his or her rights under state or federal Family and Medical Leave Act.
- Important changes to the CT FMLA Program Benefits include:
 - Two spouses employed by the same employer shall each be eligible for 12 weeks of paid FMLA in any 12-month period
 - FMLA leave—including intermittent leave—may be taken to care of a “family member,” which is expanded to include:
 - Siblings, grandparents and grandchildren (includes those related by blood, marriage, adoption, or foster care)
 - Anyone else related by blood or affinity whose close association the employee shows to be equivalent to a covered family member
 - Leave taken for **Connecticut FMLA** that is not covered under federal FMLA means federal FMLA **cannot run concurrently and is still available.**

We understand that all of this new information can be overwhelming, so let us come in and help take that burden! Reach us at 1-888-297-6551 or send a quick e-mail to us at: Info@IntuitiveHR.com

The Intuitive HR Team