

FYI[®]

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Connecticut now accepting applications for paid family and medical leave

On December 1, the Connecticut Paid Leave Authority announced that it is now accepting applications for the state's new paid family and medical leave benefits. Benefits will be available for qualifying events beginning January 1, 2022.

Background

On June 25, 2019, Connecticut enacted a [law](#) providing paid leave benefits for covered workers who take time off from work for life events covered under the federal Family and Medical Leave Act of 1993 (FMLA), the Connecticut Family and Medical Leave Act (CT FMLA) and the Connecticut Family Violence Leave Act, beginning in 2022. Overseen and administered by the Connecticut Paid Leave Authority (CT Paid Leave Authority or Authority), the Connecticut Paid Leave (CTPL) program generally covers employers with one or more employees and employees who meet certain earned-wage thresholds.

Funded through employee payroll deductions, the CTPL program provides eligible employees with up to 12 weeks of paid family and medical leave benefits in any 12-month period. It also allows for an additional two weeks of paid benefits — or up to 14 weeks in total — for workers incapacitated by pregnancy. (See our [July 2, 2019 FYI](#).)

Paid leave benefits

On December 1, the CT Paid Leave Authority [announced](#) that it is now accepting applications for the state's new paid leave benefits. Benefits will be available beginning January 1, 2022 for qualifying leaves that occur on or after that date.

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Authors

Nancy Vary, JD

Abe Dubin, JD

Application process

Workers will apply for benefits directly with the CT Paid Leave Authority via an online portal, telephone, fax, mail, or email. After initiating a claim, employees will receive a document checklist from the Authority's third-party claims administrator, Aflac, and will have 15 days after receipt to provide all requested documentation.

The CT Paid Leave Authority's [Human Resources Toolkit](#) outlines the following six-step process to access paid leave benefits from the Authority.

1. Worker informs employer/HR of need for leave.
2. Worker applies to CT Paid Leave Authority for paid leave benefits and informs employer that they have applied.
3. Worker obtains Employment Verification Form from Aflac and provides it to employer/HR.
4. Employer completes Employment Verification Form, signs, and returns to Aflac within 10 days following the request for verification information.
5. CT Paid Leave Authority validates worker's eligibility for benefits based on total earnings from all CT employers and the reason that the worker is seeking benefits.
6. Authority calculates worker's benefit amount using Employment Verification Form and other data, and issues benefit payment to the worker.

Approved claim payments will be made to employees two weeks in arrears by direct deposit or a stored value card.

Employer obligations

Employers must register with the CT Paid Leave Authority. They are responsible for calculating and withholding necessary amounts from employee wages and are subject to penalties for non-compliance. Unless exempted, employers must remit employee contributions to the Authority quarterly. There is no employer contribution.

When requested by an employee seeking CTPL benefits, the employer must complete and return an employment verification form to the Authority's benefits administrator within 10 days. In some situations, the employer may also need to communicate with the Authority in order to establish the reason for the leave or to verify its duration and frequency. An employee whose claim for CTPL benefits is denied may file a request for reconsideration with the Authority's benefits administrator and may appeal to the state DOL if reconsideration is denied. However, the employer is not responsible for filing any documents on behalf of the employee.

Employer-provided leave

Employers must notify employees that they may be eligible for CTPL benefits whenever they receive notice that the employee intends to take leave. Covered employees may receive CTPL benefits in

conjunction with employer-provided leave benefits such as PTO, but the combination of employer-provided benefits and benefits received under the state program cannot exceed 100% of the employee's normal weekly wages. However, they may not receive benefits under the CTPL program concurrently with unemployment compensation, workers' compensation or any other state or federal program that provides wage replacement. While employers may require workers to use accrued PTO before they receive the new state paid leave benefits, they must allow employees to retain up to two weeks of PTO while on Connecticut FMLA.

In closing

Employers should ensure they have policies and processes in place for timely withholding and remitting employee contributions to the CT Paid Leave Authority and to satisfy their other obligations surrounding employee leaves.

2021 Reporting and Disclosure (R&D) Guide

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