

LEGAL UPDATE CONNECTICUT

Connecticut Issues Regulations for Amended State FMLA

The Connecticut Department of Labor (DOL) has amended the [regulations](#) for the [Connecticut Family and Medical Leave Act](#) (CT FMLA) in accordance with changes to the statute that took effect earlier this year.

Background: Amendments to the CT FMLA

The Connecticut legislature amended the CT FMLA, effective Jan. 1, 2022, to expand access to leave under the statute. The amended law now covers almost all employers, establishes employee eligibility after three months of work for the employer, expands the definition of “family member” in the law, provides for 12 weeks of leave in a 12-month period, streamlines the complaint process with the DOL and allows employees to file a proceeding in superior court.

Updated Regulations

The DOL’s new regulations bring the CT FMLA rules into conformance with the amended statute. The many updates in the 67-page rules include new eligibility, designation, and rights and responsibility notices employers must provide, as well as new required language for employee handbooks. In addition, there are new requirements on languages the notices must be provided in.

Other key topics addressed in the amended regulations include:

- Certification, recertification and fitness-for-duty forms, procedures and notices
- Interplay of required certifications for CT FMLA, workers’ compensation, the Americans With Disabilities Act and other laws
- Interaction between the federal and state FMLA, particularly with respect to the maintenance of health benefits and employees’ ability to take both federal and state FMLA leave in certain circumstances

The amended regulations took effect Aug. 3, 2022.

Highlights

- The CT FMLA regulations were changed following amendments to the statute.
- The changes cover subjects like employer forms and notices, employee handbook language, certification and recertification, and the interaction of state and federal FMLA.
- Amendments to the state FMLA law went into effect in January.

The regulatory amendments follow expansion of the state FMLA, which took effect in January.