



# House of Representatives

General Assembly

**File No. 456**

February Session, 2006

Substitute House Bill No. 5011

*House of Representatives, April 10, 2006*

The Committee on Government Administration and Elections reported through REP. CARUSO of the 126th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT EXTENDING FAMILY AND MEDICAL LEAVE TO FOSTER PARENTS WHO ARE STATE EMPLOYEES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 5-248a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) Each permanent employee, as defined in subdivision [(21)] (20)  
4 of section 5-196, shall be entitled to the following: (1) A maximum of  
5 twenty-four weeks of family leave of absence within any two-year  
6 period upon the birth or adoption of a child of such employee, or upon  
7 the serious illness of a child, spouse or parent of such employee; [and]  
8 (2) a maximum of twenty-four weeks of medical leave of absence  
9 within any two-year period upon the serious illness of such employee  
10 or in order for such employee to serve as an organ or bone marrow  
11 donor; and (3) a maximum of four weeks of family leave of absence  
12 within any one-year period upon the serious illness of a foster child of  
13 the employee. Any such leave of absence shall be without pay. Upon

14 the expiration of any such leave of absence, the employee shall be  
15 entitled (A) to return to the employee's original job from which the  
16 leave of absence was provided or, if not available, to an equivalent  
17 position with equivalent pay, except that in the case of a medical leave,  
18 if the employee is medically unable to perform the employee's original  
19 job upon the expiration of such leave, the Personnel Division of the  
20 Department of Administrative Services shall endeavor to find other  
21 suitable work for such employee in state service, and (B) to all  
22 accumulated seniority, retirement, fringe benefit and other service  
23 credits the employee had at the commencement of such leave. Such  
24 service credits shall not accrue during the period of the leave of  
25 absence.

26 (b) The leave of absence benefits granted by this section shall be in  
27 addition to any other paid leave benefits and benefits provided under  
28 subdivision (7) of subsection (a) of section 46a-60 which are otherwise  
29 available to the employee.

30 (c) Any permanent employee who requests a medical leave of  
31 absence due to the employee's serious illness or a family leave of  
32 absence due to the serious illness of a child, spouse, [or] parent or  
33 foster child pursuant to subsection (a) of this section shall be required  
34 by the employee's appointing authority, prior to the inception of such  
35 leave, to provide sufficient written certification from the physician of  
36 such employee, child, spouse, [or] parent or foster child of the nature  
37 of such illness and its probable duration. For the purposes of this  
38 section, "serious illness" means an illness, injury, impairment or  
39 physical or mental condition that involves (1) inpatient care in a  
40 hospital, hospice or residential care facility, or (2) continuing treatment  
41 or continuing supervision by a health care provider.

42 (d) Any permanent employee who requests a medical leave of  
43 absence in order to serve as an organ or bone marrow donor pursuant  
44 to subsection (a) of this section shall be required by the employee's  
45 appointing authority, prior to the inception of such leave, to provide  
46 sufficient written certification from the physician of such employee of



The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Various State Agencies	All Funds - Cost	Potential Minimal	Potential Minimal

**Municipal Impact:** None

**Explanation**

The bill allows permanent state employees to take up to 4 weeks of unpaid leave annually to take care of their seriously ill foster child.

It is not known how many state employees are foster parents.

Allowing a state employee to use unpaid leave, may in some cases, increase state personnel costs. However, any increase in personnel costs, either through overtime costs or the hiring of temporary employees, would be mitigated by the fact that permanent employees taking leave would not be compensated.

It should be noted that for many state agencies the workload of employees taking unpaid leave would be divided among co-workers.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****sHB 5011*****AN ACT EXTENDING FAMILY AND MEDICAL LEAVE TO FOSTER PARENTS WHO ARE STATE EMPLOYEES.*****SUMMARY:**

This bill entitles permanent state employees to take up to four weeks of unpaid leave annually to take care of their seriously ill foster child. Existing law, unchanged by the bill, authorizes up to 24 weeks of leave within a two-year period to take care of seriously ill children, spouses, or parents.

Foster parents must comply with existing pre-leave requirements. These are providing their employer with:

1. medical documentation of the nature of the child's illness and its probable duration and
2. a signed statement indicating their intent to return to their job after the leave period.

They must also pay to continue family health coverage at the rate that would have been deducted from their paycheck had they been at work.

EFFECTIVE DATE: October 1, 2006

**BACKGROUND*****Related bill***

sSB 463 (File 300), reported favorably by the Labor Committee, permits state employees to take medical leave to care for a seriously ill non-biological child.

**COMMITTEE ACTION**

Select Committee on Children

Joint Favorable Substitute Change of Reference

Yea 12 Nay 0 (03/09/2006)

Human Services Committee

Joint Favorable Change of Reference

Yea 14 Nay 0 (03/16/2006)

Government Administration and Elections Committee

Joint Favorable

Yea 19 Nay 0 (03/24/2006)