



General Assembly

February Session, 2008

Raised Bill No. 486

LCO No. 2229

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Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

**AN ACT CONCERNING FAMILY AND MEDICAL LEAVE FOR
EMPLOYEES OF MUNICIPALITIES.**

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

1 Section 1. (NEW) (*Effective October 1, 2008*) (a) For purposes of this
2 section, "child" means a biological, adopted or foster child, stepchild,
3 child of whom a person has legal guardianship or custody, or, in the
4 alternative, a child of a person standing in loco parentis who is (1)
5 under eighteen years of age, or (2) eighteen years of age or older and
6 incapable of self-care because of a mental or physical disability,
7 "employee" means any person holding a position in municipal service
8 subject to appointment by the appointing authority, and "permanent
9 employee" means an employee holding a position in service to the
10 municipality under a permanent appointment except employees in
11 positions funded in whole or in part by the federal government as part
12 of a public service employment program, on-the-job training program
13 or work experience program. Each permanent employee shall be
14 entitled to a family leave of absence upon the birth or adoption of a
15 child of such employee, or upon the serious illness of a child, spouse or
16 parent of such employee, and a medical leave of absence upon the

17 serious illness of such employee or in order for such employee to serve
18 as an organ or bone marrow donor. The total amount of time that an
19 employee is entitled to leaves of absence pursuant to this section shall
20 be twenty-four weeks within any two-year period. Any such leave of
21 absence shall be without pay. Upon the expiration of any such leave of
22 absence, the employee shall be entitled to (A) return to the employee's
23 original job from which the leave of absence was provided or, if not
24 available, to an equivalent position with equivalent pay, except that in
25 the case of a medical leave, if the employee is medically unable to
26 perform the employee's original job upon the expiration of such leave,
27 the municipality shall endeavor to find other suitable work for such
28 employee in municipal service, and (B) all accumulated seniority,
29 retirement, fringe benefits and other service credits the employee had
30 at the commencement of such leave. Such service credits shall not
31 accrue during the period of the leave of absence.

32 (b) The leave of absence benefits granted by this section shall be in
33 addition to any other paid leave benefits and benefits provided under
34 subdivision (7) of subsection (a) of section 46a-60 of the general
35 statutes which are otherwise available to the employee.

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

48 (d) Any permanent employee who requests a medical leave of

49 absence in order to serve as an organ or bone marrow donor pursuant
50 to subsection (a) of this section shall be required by the employee's
51 appointing authority, prior to the inception of such leave, to provide
52 sufficient written certification from the physician of such employee of
53 the proposed organ or bone marrow donation and the probable
54 duration of the employee's recovery period from such donation.

55 (e) Any permanent employee who requests a family leave of
56 absence pursuant to subsection (a) of this section shall submit to the
57 employee's appointing authority, prior to the inception of such leave, a
58 signed statement of the employee's intent to return to the employee's
59 position in state service upon the termination of such leave.

60 (f) Notwithstanding the provisions of this section, the municipality
61 shall pay for the continuation of health insurance benefits for the
62 employee during any leave of absence taken pursuant to this section.
63 In order to continue any other health insurance coverages during such
64 leave, the employee shall contribute that portion of the premium the
65 employee would have been required to contribute had the employee
66 remained an active employee during the leave period.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	New section

Statement of Purpose:

To provide the same number of weeks of family and medical leave to municipal employees that state employees receive.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]