

# Legislator's Toolkit



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# About this Toolkit

The CT Paid Leave Authority's focus is on continuing awareness of and education about the CT Paid Leave program and providing resources and support for businesses and workers alike.

The **Legislator's Toolkit** provides legislators and their staff with important information about Connecticut Paid Leave to share with constituents and stakeholders in your community.

<u>Use this Toolkit to</u>: learn the basics of CT Paid Leave and educate your constituents; share information; and assist with the Authority's outreach and education efforts.

Awareness

Education

Support

### Where Are We Now?

# April 2023

#### **TOTAL CLAIMS RECEIVED:**

- > Over 120,000 since inception
- > averaging @7.5k per month

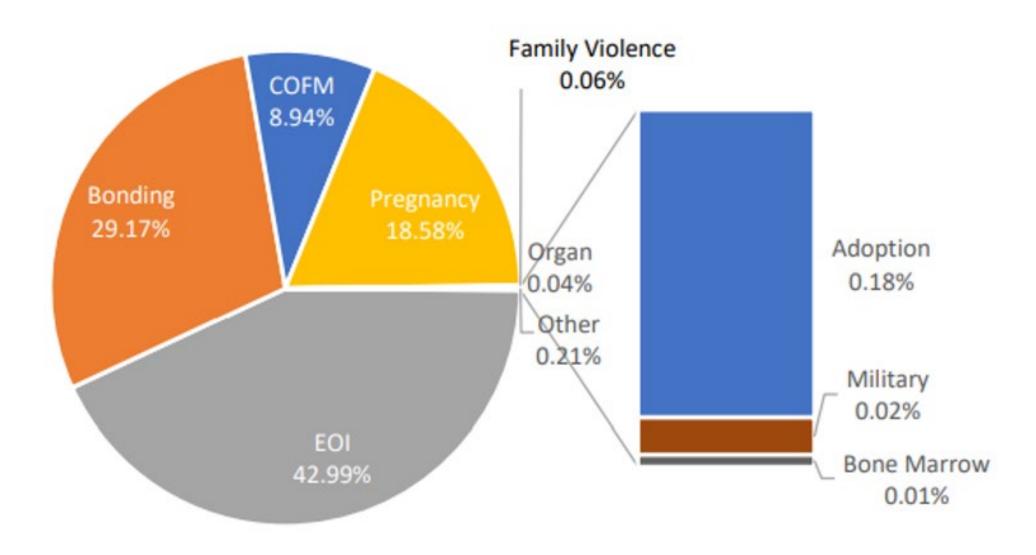
#### **TOTAL BENEFIT PAYMENTS MADE:**

- > @ \$330 million
- > average total claim amount \$4,500

#### **APPROVAL RATE: 70%**

(adjusted to exclude claims by workers who were COVID 19 + but did not meet the criteria serious health condition claims)

#### Approved to date by Leave Reason

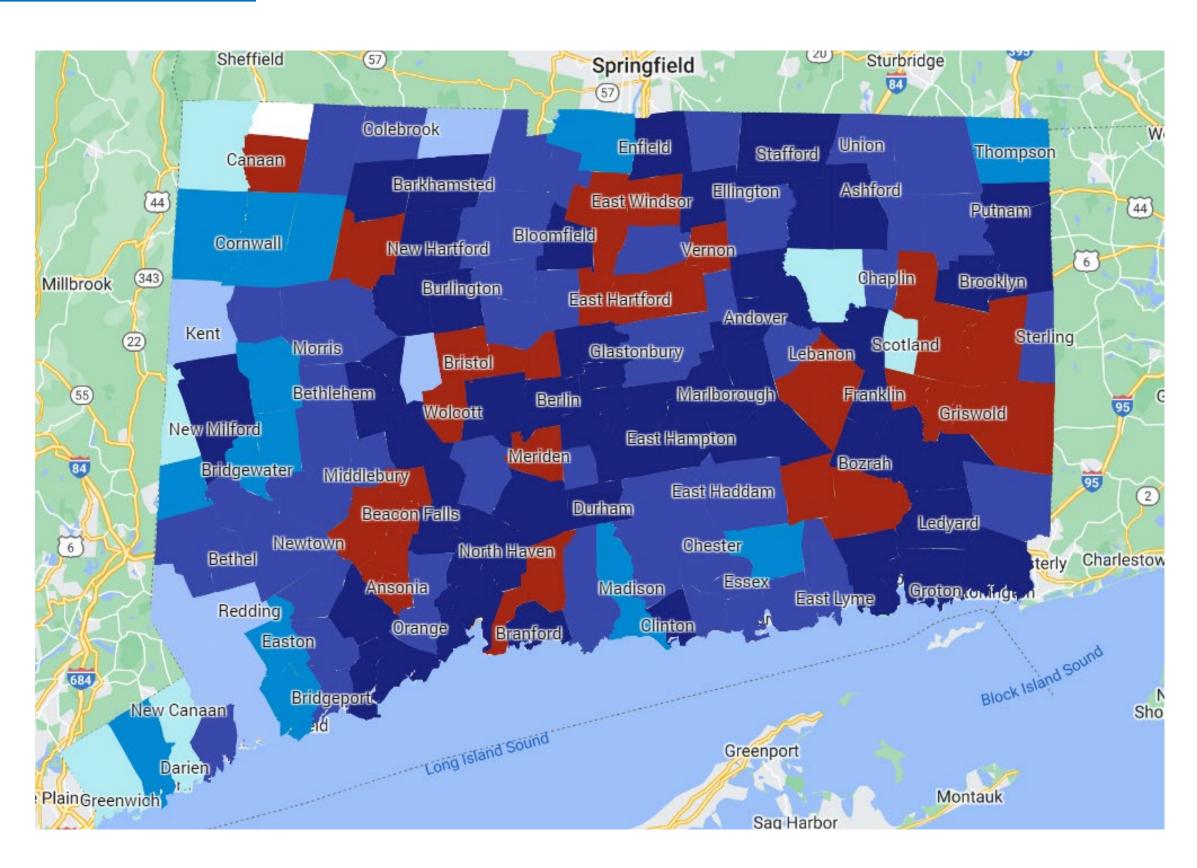


EOI = Employee's Own Illness COFM = Care of family member

# CTPL Usage by Town

### Click Here for the Complete Interactive Map

Was: Connections Doid Looms			
Connecticut Paid Leave			
color guide to map of claims per 10,000 town residents			
1-50			
50.01-100			
100.01- 150			
150.01 - 200			
200.01 - 300			
300.01 - 400			
400.01+			







# What is the CT Paid Leave Program (CTPL)?

For Connecticut workers, CT Paid Leave (CTPL) offers income replacement benefits to workers who need to take leave to address qualifying family or medical needs. For employers, CT PL provides tools and resources to promote healthy, vibrant, and inclusive workplaces and comply with state law.

# What is the CT Paid Leave Authority?

The Connecticut Paid Leave Authority is a quasi-public state agency that administers CT Paid Leave. The CT Paid Leave Authority is governed by a Board of Directors appointed by the Governor, constitutional officers and legislative leadership.

# CTPL vs. FMLA

What is CT PL?	What is FMLA?	
CTPL stands for CT Paid Leave.	FMLA stands for Family and Medical Leave Act.	
CTPL provides income-replacement during certain qualifying family and health leaves.	FMLA provides job-protected leave for certain qualifying family and health conditions	
The CT Paid Leave Act is a Connecticut law that:  Creates a source of income-replacement benefits for eligible employees who cannot work for the same reasons as FMLA It does not provide job-protected leave.  The CT Paid Leave Act is implemented by the CT Paid Leave Authority – a Quasi-Public Agency of the State of Connecticut.	<ul> <li>There is a federal FMLA &amp; a CT FMLA. Both have been around since the 1990's.</li> <li>Both laws allow eligible employees to take job-protected time away from work for certain family and medical reasons.</li> <li>The Family Medical Leave Act is implemented by employers &amp; regulated by the State &amp; Federal Departments of Labor</li> <li>FMLA does NOT provide income replacement.</li> <li>Employers may choose to:         <ul> <li>adopt policies to provide for income replacement during the leave, but they are not required to.</li> <li>continue to pay their employees their regular pay while they are out on parental leave.</li> <li>require or permit employees to use their earned accruals (sick leave, vacation leave, other PTO) while they are out on leave.</li> </ul> </li> <li>Note: The CT FMLA changed significantly on January 1, 2022. For more information, visit newfmlaguidance (ct.qov)</li> </ul>	

# CTPL vs. FMLA: Bottom Line



Does not provide job protection

Does provide \$\$\$

Eligibility based on a minimum earnings requirement and employment status

Applies to most businesses with 1+ workers in

CT

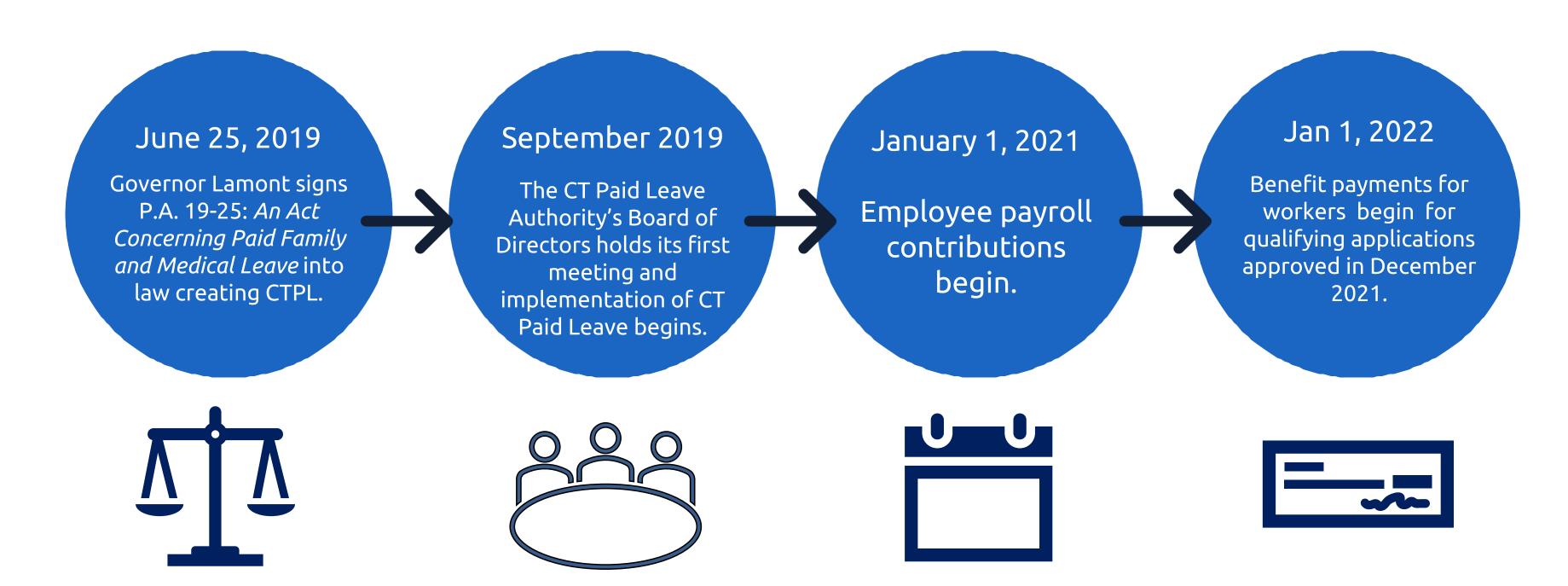


Provides job protection

Does not provide \$\$\$

Eligibility after 3 months of consecutive employment before the leave

# CTPL Implementation Timeline



# Covered vs. Non Covered Employers

Covered Employers	Non Covered Employers
<ul> <li>Almost all employers who have one or more people working in CT</li> <li>The State of Connecticut, as to non-union employees</li> </ul>	<ul> <li>The federal government</li> <li>Municipalities, unless their unionized employees collectively bargain to participate</li> <li>Local or regional boards of education, unless their unionized employees collectively bargain to participate</li> <li>Non-public elementary or secondary schools</li> <li>Railroads</li> <li>Governments of other states</li> <li>Other sovereign nations</li> </ul>

# Are CT residents who work out of state covered by CT PL?

Only employees who work in Connecticut can participate in CT Paid Leave. If an employer is paying unemployment insurance for an employee to the CT Department of Labor, that is evidence the employee works in Connecticut.

#### Other Non-Covered Entities

- Interstate truck drivers who work in CT but live in another state and thus don't pay income tax in CT
- Spouses of active-duty military members who have opted to continue to pa their taxes in their home state instead of where they are currently deployed

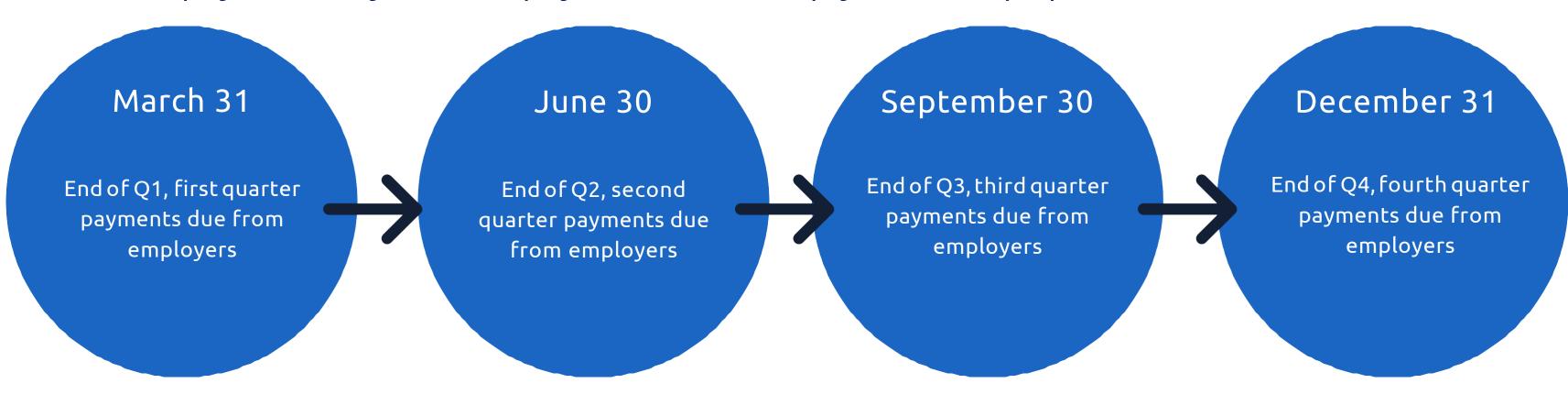
# Sole Proprietors/Self-Employed

Sole proprietors and/or self-employed individuals may *choose* to opt-in to CTPL for themselves:

The individual must reside in CT in order to participate Coverage will begin on the first day of the month following 3 full calendar months after the person enrolls with the Authority If they opt-in, they must remain in the program for a minimum of three years They contribute 0.5% of "self-employment income" (as defined by the IRS) A sole-proprietor who has employees may choose not to opt-in for themselves, but they must withhold and remit their workers' contributions If an individual receives a W-2, they are considered an employee under the law, and must participate in CTPL. This is true even if they are also the owner or officer of the company.

## CTPL Contribution Timeline

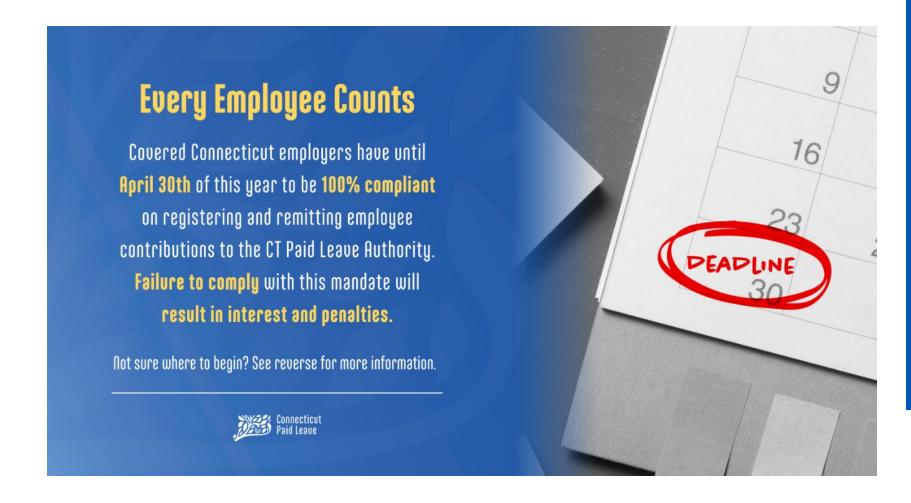
- CT Paid Leave is an **employee-funded** program. Covered employers deduct 0.5% from employees via payroll deduction and remit these contributions to the CT Paid Leave Authority on a quarterly basis. Contributions are capped at the Social Security contribution limit.
- CT Paid Leave provides a one-month grace period following the end of the quarter for employers to remit the employees' contributions. For example, first quarter payments submitted by April 30 will not incur penalties or interest. However, first quarter payments submitted after April 30 will incur penalties and interest.
- Employers may not deduct more than the statutory 0.5% from employee paychecks for CT Paid Leave contributions, and employers also may not use employee contributions to pay interest and/or penalties.



# Fund Recovery

- If employers fail to deduct CTPL contributions in a timely fashion, they will need to pay the owed amount themselves.
- For employers who are behind on contributions, action is required by April 30<sup>th</sup> to avoid fines and penalties.
- Beginning May 1<sup>st</sup> the CT Paid Leave Authority will impose penalties and interest to unpaid contributions.

Information distributed to employers



# Connecticut Paid Leave **CT Paid Leave Important Deadline** Avoid Surprises - CHECK YOUR ACCOUNT Employers may not deduct more than 0.5% from employees' wages for CT Check Your Account Today Questions? Contact Connecticut Paid Leave to learn more

# CTPL Benefits 2-Part Eligibility Test



Workers must be (a) currently employed by a covered employer; (b) employed with a covered employer in CT within the 12 weeks before the claim; OR (c) a sole-proprietor or self-employed individual who opted-in to the CT Paid Leave program.



Workers must have earned at least \$2,325 in the highest earning quarter of the first 4 of the 5 most recently completed quarters to be eligible for CTPL benefits.

#### Quarter 1

7/1/2022 - 9/30/2022



\$2,200 in

Earnings

IN THE BASE PERIOD

#### Quarter 2

10/1/2022 - 12/31/2022



\$1,600 in

Earnings

IN THE BASE PERIOD

#### Quarter 3

1/1/2023 - 3/31/2023



\$2,000 in

Earnings

IN THE BASE PERIOD

#### Quarter 4

4/1/2023 -6/30/2023



\$2,400 in

Earnings

IN THE BASE PERIOD

#### Quarter 5

7/1/2023 - 9/30/2023



N/A

NOT IN THE BASE PERIOD

#### Current Quarter

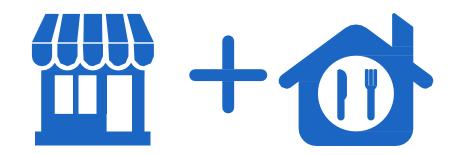
10/1/2023 - 12/31/2023



N/A

NOT IN THE BASE PERIOD

# CTPL Benefits Eligibility (continued)



Wages from multiple employers may be combined. Seasonal, part time, or per diem workers may be eligible if they meet the minimum earning and employment requirements.







Wages may include salary or hourly pay, vacation pay, holiday pay, tips, commissions, severance pay, and the cash value of any "in-kind" payments

#### CTPL benefit rates are calculated in the following ways:

- Benefits are calculated based on earnings in the base period. Average weekly wage is calculated by adding the two highest earning quarters
  during the base period and dividing that number by 26.
- If a worker's wages are less than or equal to the Connecticut minimum wage multiplied by 40, their weekly benefit rate under the PFMLA will be 95% of their average weekly wage. Note: 40 times the minimum wage will be equal to \$600 on June 1, 2023.
- If a worker's wages exceed the Connecticut minimum wage multiplied by 40, their weekly benefit rate will be 95% of the Connecticut minimum wage multiplied by 40, plus 60% of the amount their average weekly wage exceeds the Connecticut minimum wage multiplied by 40. The benefit rate is capped at 60 times the Connecticut minimum wage. Note: 60 times the minimum wage will be equal to \$900 on June 1, 2023.

# Qualifying Reasons for CTPL



#### **MEDICAL LEAVE**

For treatment of one's own serious health condition.

This includes serving as an organ or bone marrow donor and pregnancy.



#### **BONDING LEAVE**

To bond with a newborn(s) or a newly placed child, or for the time needed to process adoption or foster care placement.

- Applies to both parents
- Can be used anytime during the 12 months after the birth/placement
- Applies to birth, adoption, or foster care



#### **CAREGIVER LEAVE**

To provide physical or psychological care or comfort to a family member experiencing their own serious health condition.

# Qualifying Reasons for CTPL (continued)







#### Military Caregiver Leave

To care for a family member in the military who has experienced a serious injury or illness that occurred in the line of active duty in the Armed Forces.

#### **Qualifying Exigency Leave**

To engage in certain activities arising from the fact that a spouse, child, or parent on active duty has been notified of an impending call **or** order to active duty in the Armed Services.

#### **FAMILY VIOLENCE LEAVE ACT**

Job-protected time off can be taken by a worker who is a victim of family violence to:

- seek medical/psychological care or counseling for physical or psychological injury or disability;
- obtain services from a victim services organization;
- relocate due to such family violence; or
- participate in any civil or criminal proceeding related to or resulting from such family violence.

(up to 12 days in a calendar year)



# What is a Serious Health Condition?

Serious Health Condition requires both incapacity <u>and</u> treatment by a Health Care Provider.

#### Examples:

- Overnight stay in a hospital
- Chronic condition for which you see a healthcare provider at least 2x/year
- Long-term condition for which patient is under the supervision of a healthcare provider even though treatment is no longer effective (Alzheimer's, terminal cancer)
- Incapacitation during pregnancy (pre-natal appointments, complications during pregnancy)

Simply being exposed to or diagnosed with Covid, Flu or a similar illness is not necessarily considered a serious health condition, because frequently there is no treatment associated with a diagnosis with one of these conditions.

If an individual needs to quarantine, rest, or take OTC medication but there is no actual treatment from a healthcare provider then it does not meet the legal definition of a serious health condition.

# Defining Family

#### Spouse

Person to whom one is legally married



#### Sibling

Biological, Step-sibling, halfsibling, Adopted, Foster, or brother/sister-in-law



#### Child

Biological, adopted, foster, step-child, legal ward, person to whom the worker stands in loco parentis



#### Grandparent

Related by blood, marriage, adoption of a minor child to a child of the grandparent, or foster care by a child of the grandparent



#### Grandchild

Related by blood, marriage, adoption to a child of the grandparent, or foster care by a child of the grandparent



#### Parent

Biological, adopted, foster, stepparent, person standing in loco parentis or who has legal guardianship or custody of a child

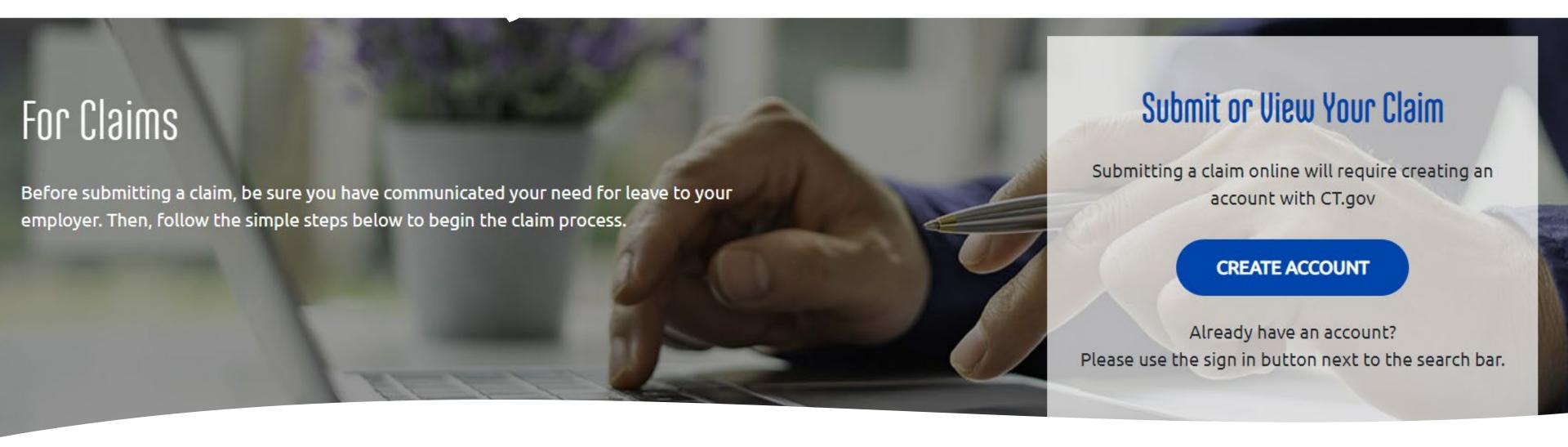


Individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships





Filing a Claim



# How Employees Can Apply for CT Paid Leave Benefits:

- To start their claim for benefits, they should go to our online portal (<u>www.ctpaidleave.org</u>)
- Applications are also accepted via telephone at 877-499-8606
- They will need to provide documentation to support their claim.
- Remember:
  - They must notify their employer if they apply for CTPL benefits
  - They will likely need job-protected leave under FMLA and will need to apply directly to you as the employer for FMLA

# The Claims Process: Employee Responsibilities

#### Notify

Employee notifies their employer that they will be applying for CTPL.
Employees should also talk to their employer about FMLA.

#### **Apply**

Employee begins application at ctpaidleave.org or by calling CTPL's claims administrator at (877) 499-8606

# Submit All Documents

Employees will receive notification of what documents are needed for their case to be complete and ready for review

# 1

#### Required documentation includes:

- ☐ Identity verification documents
- Employment Verification Form
- ☐ Specific documents supporting the leave reason

# Receive Decision

If approved, employees will receive benefits via direct deposit or Visa Debit card. If denied, they can file a reconsideration with CT paid Leave or appeal with the CT Dept of Labor.



Usually within 5 business days of all documentation being submitted.

Insufficient, inconsistent, incomplete or illegible documentation may delay the review process.

#### Receive CTPL Benefits

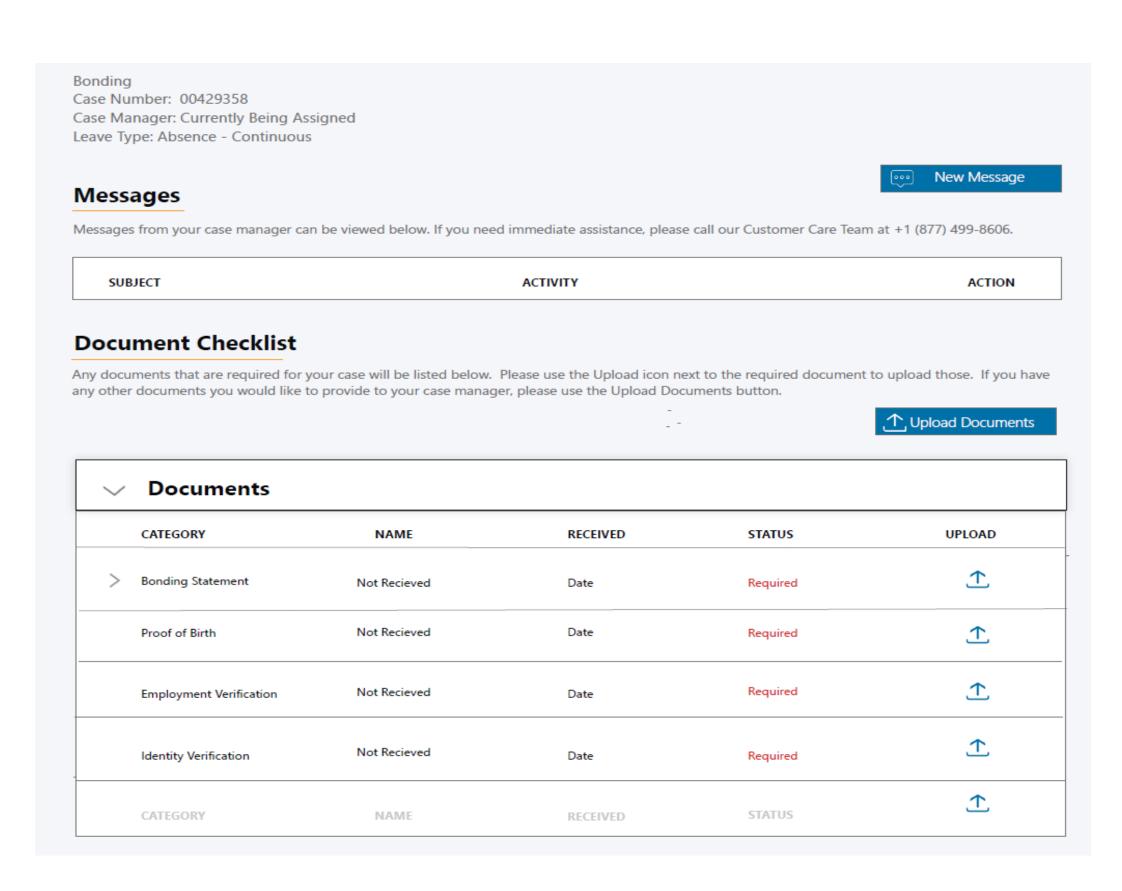


Receive payments through direct deposit or Visa Debit Card. Payments are issued on Tuesdays.

Employee must notify CT Paid Leave if circumstances change (ex: extension needed or return to work sooner than anticipated).

### Documents Dashboard

- The Document Dashboard aims to create a better user experience in the claims portal.
- From the dashboard, workers can keep track of and upload necessary documents.
- For more information, <u>read</u>
   Aflac's User Guide here.



What can a worker do if their claim is denied?

## Submit a Request for Reconsideration

- This is the quickest way to have the case reconsidered, especially if the denial was due to lack of paperwork.
- Most reconsideration decisions are issued within 15 calendars of receipt.

File an Appeal with CT
Department of Labor (CTDOL)

- A worker can submit an appeal if their reconsideration was denied or immediately upon receiving a denial notice.
- For more information, read: <u>The</u>
   <u>Connecticut Family & Medical Leave Act</u>
   <u>and CT Paid Leave Appeals</u>

Complete & submit employment verification

The Claims
Process:
Employer
Responsibilities

Notify worker about its PTO policies (including STD policies)

Refrain from discriminating and/or retaliating against worker for filing a CT PL claim

Provide employees with <u>Notice of Employee Rights Under the CT Family and Medical Leave Act (CTFMLA) & CT Paid Leave Act (CTPL)</u> on hire and annually thereafter



### CT PL Resources

Follow the links below to print each resource or contact CTPL for hard copies.



For covered employees in the State of Connecticut, the Connecticut Paid Leave program offers the opportunity to take time to take care of personal and family health needs without worrying about lost income while you are away from work.

#### **Key Dates**

JANUARY 1, 2021: Employer began withholding employee contributions (one-half of one percent of each paycheck (0.5%) and remitting these contributions to the CT Paid Leave (CTPL) Authority trust fund.

JANUARY 1, 2022: Covered employees can apply for, and may receive, paid leave benefits.

All employers\* with one or more employees are covered under the CTPL program.

Covered employees are eligible for CTPL program benefits if they have:

- Earned wages of at least \$2,325\*\* in the highest quarter in the first four of five most recently completed quarters; and
- Are currently employed OR have been employed within the 12 weeks immediately preceding their

employees of the federal government, municipalities, local or regional boards of education, sovereign nations, or non-public

pay, tips, commissions, severance pay and the cash value of any for these reasons are limited to 12 days.

#### Benefit Rates

Benefit rates vary based on income

The benefit rate is capped at 60 times the CT minimum wage.

 CT minimum wage multiplied by 60 will be equal to \$780 weekly in January 2022, increasing to \$840 on July 1, 2022.

An employee may receive CT Paid Leave benefits at the same time as employer-provided benefits so long as the employee's total compensation does not exceed 100% of their normal wages.

To see what benefit you may be eligible for, use the Benefits Estimator at CTpaidleave.org.

may be reduced if revenue is insufficient.

\*The Paid Family and Medical Leave Act stipulates benefit rates Scan with your smart phone camera or QR code

#### Qualifying Reasons for Leave

Covered employees may receive up to 12 weeks of paid leave benefits in a 12-month period, with certain

#### Starting or Expanding a Family

To bond with a new child — by birth, adoption, or foster placement. For serious health conditions resulting in incapacitation during pregnancy, covered employees may qualify for two (2) additional weeks of paid leave benefits.

#### Personal or Family Health Needs

To address a serious personal or family health condition. Those serving as an organ or bone marrow donor may also be eligible to receive CT Paid Leave benefits.

#### Impact of Family Violence

Employees impacted by family violence may be eligible to receive CT Paid Leave benefits to seek medical or psychological care, to seek care from a victim services organization, to relocate, or to participate in any civil or criminal proceeding relating to family violence. Benefits

#### Military Specific

To care for a family member who is injured while on active duty or to address specific issues relating to a family member's call to active duty or active duty in the armed forces.

#### Download the Factsheet

For more employee resources on CT Paid Leave, access the Employee Factsheet at www.ctpaidleave.org or scan the code below.





#### **Bringing Peace of Mind To Your** Home, Family, and Workplace

The Paid Family and Medical Leave Act (PFMLA) referred to as CT Paid Leave (CTPL) - offers Connecticut workers the opportunity to take time to attend to personal and family health needs without worrying about lost income.

The funding to support the CTPL program comes in the form of employee payroll deductions of one-half of one percent (0.5%) These payroll deductions began January 1, 2021.

Covered employees became eligible to apply for paid leave benefits beginning January 1, 2022.

#### Covered employees qualify for up to 12 weeks of paid leave benefits for the following reasons:



Bonding with a new child that has entered the family through birth, adoption, or foster care.



Caring for your own serious health condition (includes pregnancy and serving as an organ/bone marrow donor). Two (2) additional weeks may be available for incapacitation during pregnancy.



Addressing issues arising from family violence (relocation, court proceedings, support services, and professional care).

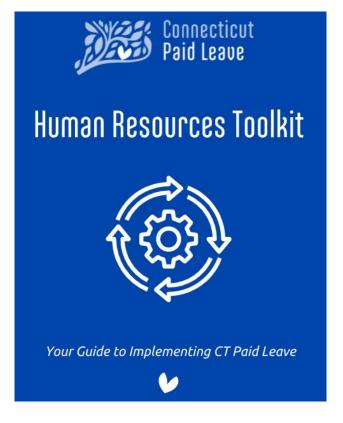


health condition





**Employer Toolkit** 



HR Toolkit

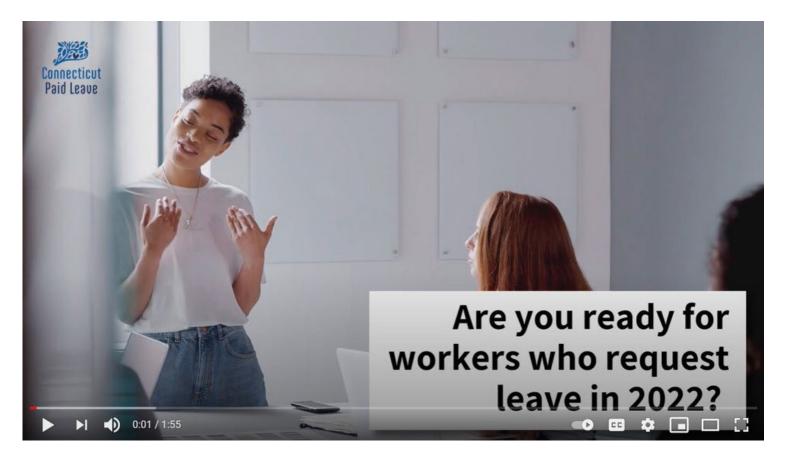


**Notice of Employee Rights** 

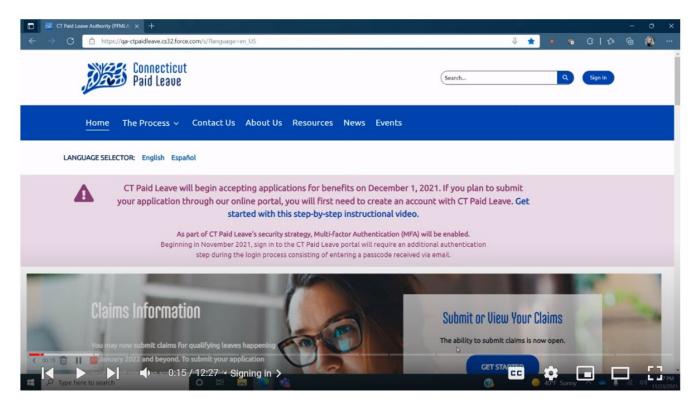
**Employee Fact Sheet** 

**Employee Rack Card** 

# Informational Videos for Employers and Workers



Ten Tips for Managing Worker Leaves of Absence



How to Submit a Claim Using the Online Portal



CT Paid Leave vs. CT FMLA

All videos can be found on the CT Paid Leave YouTube Page

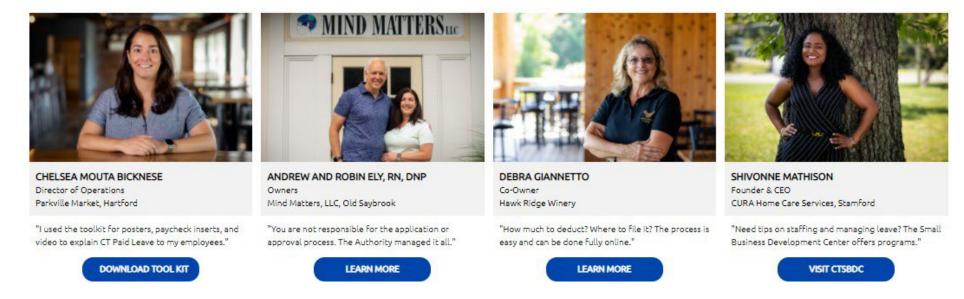
### Website Features for Small Businesses



Small business page at ctpaidleave.org features business owners from around the state offering words of advice to their peers about CTPL.



Focus on running your business and growing your business, we're here to help your employees (even if it's just one) manage the paid leave process.



Small Business Page features real businesses from throughout Connecticut.



#### **EMPLOYER QUICKLINKS**

- Poster and paycheck insert
- CTSBDC Webinars/Classes
- The application process
- Not yet registered?
- Options for sole-proprietors

# Paid Leave Podcast

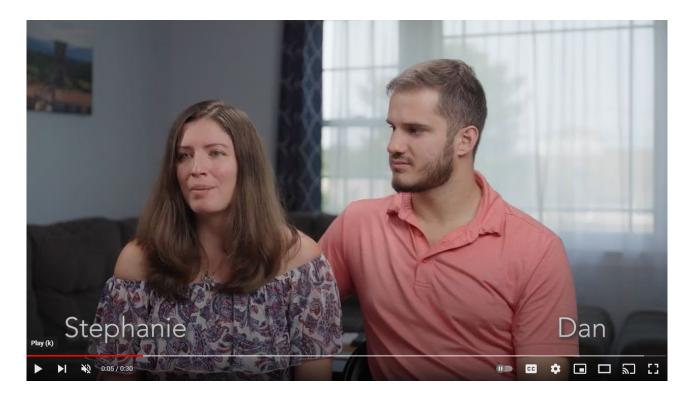
Tune in via <u>Buzzsprout</u>, Apple Podcasts, Spotify or CT Paid Leave's <u>YouTube</u> Channel.



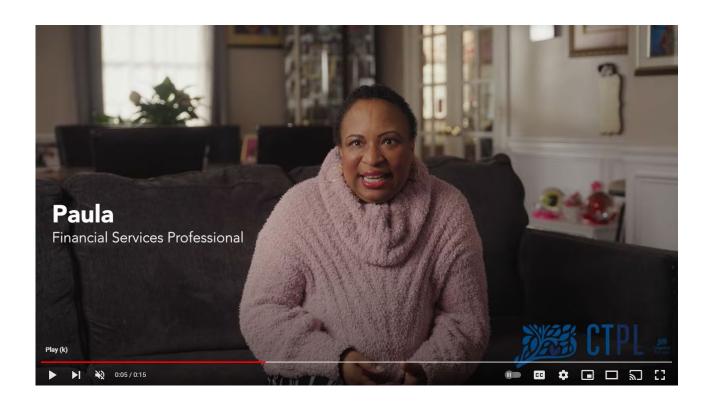
# CTPL Recipient Stories

Click each video to view and share











# Webinars and Upcoming Events

Visit <u>CTPaidLeave.org</u> for a full calendar of upcoming webinars, events and public meetings.

Topic #1:

HR Professional's Guide to Paid Leave

Topic #2:
Worker's Guide to Paid Leave

**Topic #3:**Employer's Guide to Paid Leave

# How to Support CTPL in Your District:

# Raise awareness of what paid leave is and educate your constituents on how it works.

- Invite CTPL to community events to share information and educate the public
- Share CTPL resources on social media and with traditional and digital media
- Create partnerships with community organizations and state agencies to promote CTPL

# Provide tools and resources to aid employers and workers to access paid leave benefits.

- Share CTPL's webinars and upcoming events with businesses and workers
- Encourage employers to subscribe to CTPL's employer newsletter
- Encourage HR Professionals to subscribe to CTPL's HR newsletter
- Share additional CTPL employer and worker resources available on ctpaidleave.org.

# What to do if a constituent needs help with CTPL

- Most claimants' questions about already-filed CTPL claims can be addressed by:
  - Logging in to their account through the CT Paid Leave portal, or
  - Calling Aflac at 877-499-8606
- For general questions about the CT Paid Leave program: www.ctpaidleave.org
  - General Information: CT Paid Leave Authority (PFMLA) Home | Official Site
  - Questions: Contact Us | FAQs and Contact the CT Paid Leave Authority
- Email <u>Erin.Choquette@ct.gov</u> or <u>Madeline.Granato@ct.gov</u> about any issues that need personal attention

{Questions about CT FMLA: CT DOL newfmlaguidance (ct.gov)}



## Resources & Social Media











CT Paid Leave
Glossary
Asked
Questions



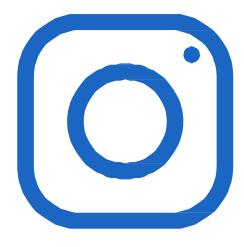




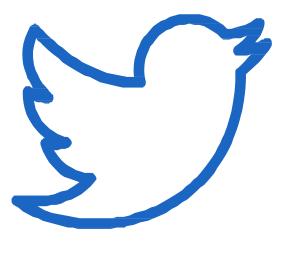
Facebook



Medium



<u>Instagram</u>



<u>Twitter</u>