



Frequently Asked Questions about CT Paid Leave for Public School Operators and Nonpublic Elementary/Secondary Schools

Please note that CT FMLA is overseen by the [CT Department of Labor](#). For specific questions about CT FMLA, reach out to DOL.CTFMLA@ct.gov.

1. What is the definition of a *public school operator*?

A public school operator is defined as:

- a local or regional board of education, including regional educational service centers (RESCs);
- an interdistrict magnet school, including an interdistrict magnet school operator described in section 10-264s;
- a state or local charter school;
- an endowed or incorporated academy approved by the State Department of Education pursuant to section 10-76d,
- a cooperative arrangement pursuant to section 10-158a.

A school that does not fall under the definition above is considered a nonpublic elementary or secondary school. This does not include private colleges or universities.

2. Which school employees are covered by CT Paid Leave and CT FMLA?

Employees of public school operators whose positions do not require certification pursuant to Chapter 166 of the CT General Statutes are covered by CT Paid Leave and CT FMLA effective October 1, 2025.

For questions on whether a specific position requires certification under Chapter 166, please reach out to the State Department of Education's Talent Office or email the dedicated State Department of Education district email address.

If a nonpublic elementary and secondary school has a policy that requires certification for certain positions, then employees working in those positions would be excluded. Otherwise, all employees would be covered.

3. If an employee is certified but works in a position that does not require certification, are they covered?

Yes, this employee would be covered because the position they are working in does not require certification. Individual certifications that an employee may hold do not impact their coverage; coverage is dictated by the requirements of the position in which they are working.

4. Do federal FMLA and CT FMLA run concurrently if the employee is eligible for both, or do they run separately?

It is necessary to look at each specific situation to see if the individual qualifies for federal FMLA, CT FMLA, both, or neither. To qualify for federal FMLA, the employee must work for a covered employer and must have worked at least 1250 hours in the 12 months preceding the leave. To qualify for CT FMLA, they must have worked for the public school operator for at least 3 months in the 12-month period preceding their leave.

If the reason for leave qualifies under both federal FMLA and CT FMLA, the leaves would run concurrently. An example of this would be leave for the employee's own serious health condition.

There are circumstances where leave would qualify for CT FMLA but not federal FMLA. For example:

John's sister is diagnosed with cancer, and he takes 12 weeks of caregiver leave to care for her while she undergoes treatment. This qualifies under CT FMLA due to the sibling relationship, which is covered by CT FMLA but not by federal FMLA. Later that year, John needs hernia surgery and his doctor tells him he needs to be out for 12 weeks to recover. John has exhausted all his CT FMLA leave entitlement due to the caregiver leave he took for his sister, but he still has his federal FMLA entitlement of 12 weeks to use for his own serious health condition (the hernia surgery). It is important to note that in this scenario, John can still only receive 12 weeks of benefits from CT Paid Leave in a 12-month period. If he received 12 weeks of benefits during his caregiver leave, he would not be able to receive an additional 12 weeks of benefits while on leave for his own surgery.

5. What if there is a break in service during the previous 12-month period but the employee still worked a total of three months in the previous 12 months? Would they still be eligible for CT FMLA?

Yes, the employee would be eligible for CT FMLA. For schools, the three months within the previous 12-month period are not required to be consecutive.

6. Can we require non-certified employees to use all of their accrued paid time off (PTO) while on FMLA leave before they apply for CT Paid Leave benefits?

CT FMLA states that an employer may require or permit their employees to use accrued PTO while on leave; however, an employer may not require the employee to exhaust all of their PTO. The employer must allow the employee to retain at least two weeks of accrued PTO for use for other reasons besides the leave if the employee would like to do so.

For example, if an employee needs to be on leave for 4 weeks due to their own serious health condition and has four weeks of accrued PTO, the employer may require that employee to use 2 weeks of their accrued time. However, they must allow the employee to retain the additional 2 weeks of PTO for other uses if the employee chooses to do so.

7. What about non-certified staff that are unionized? Are they covered by CT Paid Leave and CT FMLA?

Unionization does not impact participation in CT Paid Leave or CT FMLA for any non-certified staff beginning on 10/1/25. Coverage for non-certified staff begins on that date, whether unionized or not.

8. If a school's certified staff are not unionized, how can they participate in CT Paid Leave?

While there is no option to participate in the public CT Paid Leave program in this instance, the employer may apply to offer a private plan to cover all of its CT employees. For specific details on the requirements for a private plan and how to apply, please visit the [Private Plans page](https://ctpaidleave.org/PrivatePlans) at ctpaidleave.org.

9. Do new hires start contributing immediately, or is there a probationary period?

New hires begin contributing as of their start date.

10. If an employee is already on federal FMLA leave on October 1, are they eligible for CT FMLA and CT Paid Leave?

If the employee meets the minimum earnings requirement for CT Paid Leave, they are eligible to receive benefits starting on October 1. They would also be entitled to 12 weeks of CT FMLA beginning on October 1.

11. If an employee works in a position that requires certification, but they also perform a secondary role in a position that does not require certification, are they covered?

In this circumstance, we will look at the employee's primary role. If their primary role is in a position that requires certification, they will not be covered. For example, if an employee's primary role is a certified teacher but they also serve as the school's soccer coach (and the coaching role does not require certification), they will continue to be excluded from CT Paid Leave since their primary role as a teacher does require certification.

12. How can certified staff at public school operators become covered by CT Paid Leave and CT FMLA?

Certified staff at public school operators may collectively bargain for participation in the CT Paid Leave program. If that happens, any non-unionized certified staff would also be included in the program.

It is not possible to collectively bargain for participation in CT FMLA as enforced by the CT Department of Labor. However, it is possible to bargain for job protected leave provisions that mirror the protections provided by CT FMLA, such as eligibility after three months of employment within the previous 12-month period or caregiver leave with an expansive definition of family, including those related by affinity.

13. How will we know when an employee's claim is approved or denied?

When a claim decision is made, an email will be sent to the contact email address listed on the Employment Verification Form. The email will include the claimant's name, start and end dates of the leave, and weekly benefit amount if approved.

Employers may also [request access to limited employee claim data](#) in the My Account for Business portal.

14. Since coverage begins on October 1, 2025, should the first paycheck issued in October include the 0.5% deduction for all hours included in that check, even if some work was performed prior to October 1?

Yes, the first paycheck that is provided on or after October 1st should include the CT Paid Leave deductions. When the work was performed is not a factor.

15. Can non-certified employees opt-out of CT Paid Leave if they do not want to participate?

No. All employees working in a position that does not require certification pursuant to Chapter 166 of the CT General Statutes must contribute to CT Paid Leave starting October 1, 2025. If they also meet the minimum earnings requirement, they would be eligible to file a claim for benefits on October 1, 2025.

14. As a Regional Educational Service Center (RESA), there are some departments that are not “school” related. Do the rules governing coverage apply universally to all positions not requiring certification, or only to schoolbased positions?

Our program treats each entity with its own FEIN as a unique entity. Therefore, if the overall entity is considered a local/regional board of education (as RESAs are), then any employees who are employed under that FEIN would be considered employed by a public school operator (and therefore the rules regarding certification/non-certification applies). If the departments are reported under a separate FEIN/employer, then the general rules of eligibility for CT Paid Leave apply.

16. How is the benefit amount calculated?

Please see [Learn How Benefits Are Calculated](#). CT Paid Leave offers partial income replacement, and there is a statutory formula that is used to calculate the benefit amount. Benefits are capped at 60 times the current CT minimum wage.

17. Can an employee receive both CT Paid Leave and use their PTO or receive short term disability at the same time?

Yes, employees can combine CT Paid Leave with other employer sponsored or provided income replacement benefits, so long as the total compensation does not exceed 100% of the employee's normal earnings.

18. Can contributions be submitted biweekly, or does it have to be paid quarterly?

Contributions can be submitted biweekly, or on the employer's typical payroll cycle. The total contributions for each quarter become officially due on the last day of the quarter, with a one-month grace period before penalties and interest apply.

19. Does the 0.5% contribution rate apply to all wages?

The contribution rate of one-half of one percent (0.5%) applies to an employee's total wages, up to the Social Security contribution and benefit base.

"Total wages" means an employee's salary or hourly wages, vacation pay, holiday pay, tips, commissions, severance pay, etc. including the cash value of any "in-kind" payments.

Employers should exclude any benefits from the employees' total wages that are excluded for the purpose of calculating the employee's FICA taxable wage.

20. Can an employee receive benefits during the summer?

An employee is only eligible to receive benefits if they would have been scheduled to work were it not for their leave reason. For example, a custodian who works during the summer would be able to receive benefits for a leave that takes place during the summer. Conversely, a paraprofessional who does not work during the summer months would not be eligible for benefits during the summer.

21. What happens if an employee who is working in a position that does not require certification changes jobs within the school to a position that does require certification?

Since employees working in positions that require certification pursuant to Chapter 166 are not covered by CT Paid Leave, the employee would not be covered by CT Paid Leave once working in the certified position UNLESS the leave for which they are seeking benefits happened within the previous 12 weeks of their move to the certified position.

22. What are we required to provide to employees in terms of documentation?

Employer are required to provide the [Notice of Employee Rights Under CT FMLA and CT Paid Leave](#) upon hire and annually thereafter.

When an employee applies for paid leave benefits, they will receive a Notice of Application specifying what documentation is required to substantiate their claim. The only thing the employer is responsible for completing is the [Employment Verification Form](#), which is to be completed within ten days and either returned to the employee or sent directly to our claims administrator at the email address or fax number listed on the form.