

P.A. 24-5: An Act Concerning Changes to the Paid Family and Medical Leave Statutes

Sec. 1 and Sec. 7: Definition of Municipality in CT Paid Leave and CT FMLA

Background:

Under the current CT Paid Leave Act, municipalities are not covered employers unless their unionized employees collectively bargain to participate in the program; however, the term “municipality” was not clearly defined in statute. Through its policy-making authority, the CT Paid Leave Authority previously adopted a definition of municipality that incorporates language from various statutes. That policy definition will be superseded by P.A. 24-5.

New changes in P.A. 24-5, effective October 1, 2024:

P.A. 24-5 defines “municipality” in CT Paid Leave and CT FMLA as *any metropolitan district, town, consolidated town and city, consolidated town and borough, city, borough, village, fire and sewer district, sewer district and each municipal organization having authority to levy and collect taxes.*

If an entity meets this definition:	If an entity does not meet this definition:
<ul style="list-style-type: none"> The entity is not a covered employer under CT Paid Leave unless one or more of its bargaining units collectively bargains to be included. If one or more bargaining units in a municipality collectively bargain to participate in the CT Paid Leave program, then all of the non-represented employees of that municipality will also become participants in the program. The CT Paid Leave Authority has adopted a policy regarding the effective date of participation in the program via collective bargaining: CTPL-002-ELIG (d) Municipal and Board of Education Employers Effective Date. Employees represented by any bargaining unit in that municipality that did not bargain for participation will continue to be excluded from the program. Collectively bargaining for participation in the CT Paid Leave program does not automatically result in changing the employees’ rights to job-protected leave. Employees cannot collectively bargain into coverage under the CT FMLA, as enforced by the CT DOL, but they may collectively bargain for a policy that adopts the provisions of CT FMLA, such as eligibility for job-protected leave after 3 months of employment and the broader definition of family for caregiver leave. 	<ul style="list-style-type: none"> The entity is a covered employer under CT Paid Leave and CT FMLA. Beginning 10/1/24, employees will be covered under CT Paid Leave and CT FMLA and, if they meet the worker-specific eligibility requirements, may qualify to take job-protected leave under CT FMLA and receive income-replacement benefits while on leave from CT Paid Leave. As a covered employer, the entity is required to register with the CT Paid Leave Authority, deduct the 0.5% contributions from its employees’ wages and remit those contributions quarterly. Additional information on registering and employer responsibilities are available via ctpaidleave.org.