

EMPLOYER RESOURCES: HOW ARE THE WORK WEEK AND LEAVE ENTITLEMENT CALCULATED?

The employee's "workweek" is the basis of the entitlement for Family and Medical Leave Entitlements.

DEFINITION OF A "WORK WEEK"

A "**work week**" is the employee's **usual or normal schedule** (hours/days per week) prior to the start of the leave, such as 40 hours/week, 25 hours/week, or 50 hours/week.

DETERMINATION OF THE WORK WEEK FOR EMPLOYEES WITH VARIABLE WORK SCHEDULES

When an employee's work schedule **varies from week to week**, because of overtime or other reasons, an employer uses a **weekly average** to calculate the employee's Family Medical leave entitlement.

- **Federal FMLA:** The weekly average is determined by the hours scheduled over the **12 months** prior to the beginning of the leave and includes any hours for which the employee took any type of leave, **as well as any overtime worked by the employee.**
- **CT FMLA:** The weekly average is determined by the hours worked/ week over the **12 months** prior to the beginning of the leave unless the employee has not worked 12 months, in which case the weekly average is determined by the hours worked per week since the employee's date of hire.
 - As with federal FMLA, the hours worked for the purpose of determining the workweek includes any hours for which the employee took any type of leave, as well as any overtime worked by the employee.

CALCULATION OF THE EMPLOYEE'S LEAVE ENTITLEMENT

Block Leave

The leave entitlement is based on the employee's actual work week. The number of days or hours within the work week are not relevant because no calculations are required.

Leave Law	Maximum amount of leave
Federal FMLA	12 work weeks in a 12-month period
CT FMLA	12 work weeks in a 12-month period

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- *Examples:*
 - An employee who works 5 days per week, 8 hours a day, Monday through Friday, needs to take a block leave of 4 weeks. At the end of the 4 weeks, the employee will have 8 weeks of federal FMLA leave left and 8 weeks of CT FMLA leave left.
 - An employee who works 3 days per week, 12 hours a day, Friday through Sunday, needs to take a block leave of 4 weeks. At the end of the 4 weeks, the employee will have 8 weeks of federal FMLA leave left and 8 weeks of CT FMLA leave left.

Intermittent Leave and Reduced Schedule Leave

For purposes of calculating an employee's leave entitlement when they take intermittent leave or reduced schedule leave, multiply the 12 weeks of leave by the employee's weekly average.

Sample Work Schedules	Work Weeks	Work Hours
40 hours/week	12	480
38.75 hours/week	12	465
37.5 hours/week	12	450
36.25 hours/week	12	435
35 hours/week	12	420
24 hours/week	12	288
50 hours/week	12	600

- *Examples:*
 - An employee who works a 40-hour week needs to take a reduced schedule leave of one day per week for 5 weeks. For this employee, one day equals 8 hours. Therefore, the employee will use 40 hours (8 hours x 5 days) of the 480 hours of federal FMLA leave and CT FMLA available.
 - An employee who works a 35-hour week needs to take a reduced schedule leave of one day per week for 5 weeks. For this employee, one day equals 7 hours. Therefore, the employee will use 35 hours (7 hours x 5 days) of the 420 hours of federal FMLA and CT FMLA leave available.