

EMPLOYER RESOURCES: HOW CAN LEAVE BE TAKEN?

There are three ways that an employee may take leave:

- **Block leave**
- **Intermittent leave**
- **Reduced schedule leave**

DEFINITIONS

“Block Leave” is a one-time continuous absence for a single qualifying reason.

- There is no minimum length of time for block leave.

Examples:

- A three-day inpatient hospital stay.
- A broken leg requiring surgery and recovery for 3 months.
- Participation in a 30-day outpatient substance abuse rehabilitation program

“Intermittent Leave” is leave taken repeatedly for a single qualifying reason.

- An eligible employee may take intermittent leave in periods of **weeks, days, hours, and, in some cases, even segments of an hour.**
- Employees may use the federal and CT FMLA leave in the smallest increment of time the employer allows for the use of other forms of leave, **as long as the smallest increment is no more than one hour.**
- Even if the employer uses a time-accounting system that can account for employees' worked time to the minute, the employer can establish a policy that federal and CT FMLA leave must be taken in 15-minute increments.
- If an employer uses different increments for different types of leave (for example, accounting for sick leave in 15-minute increments and vacation leave in one-day increments), the employer must allow the federal and CT FMLA leave to be used in the smallest increment used for any type of leave.
- *Examples:*
 - Leaving work early because of chronic migraine headaches.
 - Taking a parent to dialysis appointments weekly.
 - Starting work one hour late once a week to attend physical therapy appointments.

“Reduced Schedule Leave” is a leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday for a period of time, normally from a full-time schedule to a part-time schedule.

- An eligible employee may take reduced schedule leave in periods of **weeks, days, hours and, in some cases, even segments of an hour.**

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- *Examples:*
 - Working only 4 days per week during recovery from open heart surgery.
 - Leaving work 2 hours early each day to spend time with a hospitalized child.
 - Starting work at 11:30 instead of 8:30 to receive daily radiation treatments.

SPECIAL RULES FOR BONDING LEAVE

Generally, the decision of how an employee can take leave is determined by the leave reason (as supported by documentation) and the employee's needs. Bonding leave, on the other hand, is handled differently. An eligible employee has the right to take block or continuous bonding leave but can take bonding leave on an intermittent or reduced schedule basis only with the employer's consent.

Because reduced schedule leave and intermittent leave for bonding is available **only** with the employer's consent, employers are encouraged to remember the following principles:

- The employer has the right to decide whether to allow intermittent or reduced schedule leave for bonding, how long to allow it to continue, and what schedule the employee must work.
- Employers should make these decisions on a case-by-case basis in a fair and equitable manner.
- If the employer's business needs are such that it cannot allow the employee to work on a reduced schedule or intermittent basis at all or can allow the reduced schedule or intermittent leave for less than the requested amount of time, the employer is free to make that decision.
- An employer **cannot** deny an eligible employee the right to take bonding leave on a block basis.