



# Senate

General Assembly

**File No. 542**

January Session, 2025

Substitute Senate Bill No. 1427

*Senate, April 7, 2025*

The Committee on Labor and Public Employees reported through SEN. KUSHNER of the 24th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT EXPANDING PAID FAMILY AND MEDICAL LEAVE  
INSURANCE PROGRAM BENEFITS TO CERTAIN SCHOOL  
EMPLOYEES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-49e of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2025*):

3 As used in this section and sections 31-49f to 31-49u, inclusive:

4 (1) "Authority" means the Paid Family and Medical Leave Insurance  
5 Authority established in section 31-49f. "Authority" does not mean an  
6 appointing authority;

7 (2) "Base period" means the first four of the five most recently  
8 completed quarters;

9 (3) "Base weekly earnings" means an amount equal to one twenty-  
10 sixth, rounded to the next lower dollar, of a covered employee's total

11 wages, as defined in subsection (b) of section 31-222 and self-  
12 employment income, as defined in 26 USC 1402(b), as amended from  
13 time to time, earned during the two quarters of the covered employee's  
14 base period in which such earnings were highest, provided self-  
15 employment income shall be included only if the recipient has enrolled  
16 in the program pursuant to section 31-49m;

17 (4) "Covered employee" means an individual who has earned not less  
18 than two thousand three hundred twenty-five dollars in subject  
19 earnings during the employee's highest earning quarter within the base  
20 period and (A) is presently employed by an employer, (B) has been  
21 employed by an employer in the previous twelve weeks, or (C) is a self-  
22 employed individual or sole proprietor and Connecticut resident who  
23 has enrolled in the program pursuant to section 31-49m;

24 (5) "Covered public employee" means an individual who is (A)  
25 employed in state service, as defined in section 5-196, and who is not in  
26 a bargaining unit established pursuant to sections 5-270 to 5-280,  
27 inclusive, [or] (B) a member of a collective bargaining unit whose  
28 exclusive collective bargaining agent negotiates inclusion in the  
29 program, in accordance with chapter 68, sections 7-467 to 7-477,  
30 inclusive, or sections 10-153a to 10-153n, inclusive, or (C) employed by  
31 a local or regional board of education in a position that does not require  
32 a professional certification under chapter 166. If a municipal employer,  
33 as defined in section 7-467, or a local or regional board of education  
34 negotiates inclusion in the program for members of a collective  
35 bargaining unit, "covered public employee" also means an individual  
36 who is employed by such municipal employer or local or regional board  
37 of education and who is not in a bargaining unit established under  
38 sections 7-467 to 7-477, inclusive, or sections 10-153a to 10-153n,  
39 inclusive;

40 (6) "Employ" means to allow or permit to work;

41 (7) "Employee" means an individual engaged in service to an  
42 employer in this state in the business of the employer;

43 (8) "Employer" means a person engaged in any activity, enterprise or  
44 business or a federally recognized tribe that has entered into a  
45 memorandum of understanding pursuant to section 31-49u, who  
46 employs one or more employees, and includes any person who acts,  
47 directly or indirectly, in the interest of an employer to any of the  
48 employees of such employer and any successor in interest of an  
49 employer. "Employer" does not mean the federal government, the state  
50 or a municipality, a local or regional board of education or a nonpublic  
51 elementary or secondary school, except that the state, a municipal  
52 employer or local or regional board of education is an employer with  
53 respect to each of its covered public employees and a nonpublic  
54 elementary or secondary school is an employer with respect to each  
55 individual employed by such nonpublic elementary or secondary  
56 school in a position that does not require a professional certification  
57 under chapter 166;

58 (9) "Family and medical leave compensation" or "compensation"  
59 means the paid leave provided to covered employees from the Family  
60 and Medical Leave Insurance Trust Fund;

61 (10) "Family and Medical Leave Insurance Authority Board" means  
62 the board of directors established in section 31-49f;

63 (11) "Family and Medical Leave Insurance Program" or "program"  
64 means the program established in section 31-49g;

65 (12) "Family and Medical Leave Insurance Trust Fund" or "trust"  
66 means the trust fund established in section 31-49i;

67 (13) "Health care provider" has the same meaning as provided in  
68 section 31-51kk, as amended by this act;

69 (14) "Municipality" has the same meaning as provided in section 7-  
70 245;

71 (15) "Person" means one or more individuals, partnerships,  
72 associations, corporations, limited liability companies, business trusts,  
73 legal representatives or any organized group of persons;

74 (16) "Serious health condition" has the same meaning as provided in  
75 section 31-51kk, as amended by this act; and

76 (17) "Subject earnings" means total wages, as defined in subsection  
77 (b) of section 31-222 and self-employment income as defined in 26 USC  
78 1402(b), as amended from time to time, that shall not exceed the Social  
79 Security contribution and benefit base, as determined pursuant to 42  
80 USC 430, as amended from time to time, provided self-employment  
81 income shall be included only if the recipient has enrolled in the  
82 program pursuant to section 31-49m.

83 Sec. 2. Section 31-49h of the general statutes is repealed and the  
84 following is substituted in lieu thereof (*Effective October 1, 2025*):

85 (a) The board, on behalf of the authority, and for the purpose of  
86 implementing the Paid Family and Medical Leave Insurance Program  
87 established in section 31-49g, shall adopt written procedures in  
88 accordance with the provisions of section 1-121 for the purposes of:

89 (1) Adopting an annual budget and plan of operations, including a  
90 requirement of board approval before such budget or plan may take  
91 effect;

92 (2) Adopting bylaws for the regulation of the affairs of the board and  
93 the conduct of its business;

94 (3) Hiring, dismissing, promoting and compensating employees of  
95 the authority and instituting an affirmative action policy;

96 (4) Acquiring real and personal property and personal services,  
97 including requiring board approval for any nonbudgeted expenditure  
98 in excess of five thousand dollars;

99 (5) Contracting for financial, legal and other professional services,  
100 and requiring that the authority solicit proposals not less than every  
101 three years for each such service used by the board;

102 (6) Using surplus funds to the extent authorized under sections 31-

- 103 49f to 31-49t, inclusive, or any other provisions of the general statutes;
- 104 (7) Establishing an administrative process by which grievances,  
105 complaints and appeals regarding employment at the authority are  
106 reviewed and addressed by the board; and
- 107 (8) Implementing the provisions of sections 31-49e to 31-49t,  
108 inclusive, as amended by this act, or other provisions of the general  
109 statutes, as appropriate.
- 110 (b) The Paid Family and Medical Leave Authority may:
- 111 (1) Adopt an official seal and alter the same at the pleasure of the  
112 board;
- 113 (2) Maintain an office at such place or places in the state as the board  
114 may designate;
- 115 (3) Sue and be sued, and plea and be impleaded, in its own name;
- 116 (4) Establish criteria and guidelines for the Paid Family and Medical  
117 Leave Insurance Program to be offered pursuant to this section, sections  
118 31-49f and 31-49g and sections 31-49i to 31-49t, inclusive;
- 119 (5) Employ staff, agents and contractors as may be necessary or  
120 desirable and fix the compensation of such persons;
- 121 (6) Design, establish and operate the program to ensure transparency  
122 in the management of the program through oversight and ethics review  
123 of plan fiduciaries;
- 124 (7) Design and establish a process by which employees and self-  
125 employed individuals or sole proprietors who have enrolled in the  
126 program pursuant to section 31-49m shall contribute a portion of their  
127 subject earnings to the trust;
- 128 (8) Evaluate and establish a process by which employers may credit  
129 employee contributions to the trust through payroll deposit;

130       (9) Ensure that contributions to the trust collected from employees  
131 and self-employed individuals or sole proprietors who have enrolled in  
132 the program pursuant to section 31-49m shall not be used for any  
133 purpose other than providing compensation to covered employees,  
134 educating and informing persons about the program and paying the  
135 operational, administrative and investment costs of the program;

136       (10) Establish and maintain a secure Internet web site that displays  
137 all public notices issued by the authority and such other information as  
138 the authority deems relevant and necessary for the implementation of  
139 the program and for the education of the public regarding the program;

140       (11) Establish policies, or written procedures in accordance with the  
141 provisions of section 1-121, as appropriate, including, but not limited to,  
142 policies or procedures:

143       (A) Establishing a process to determine whether an individual meets  
144 the requirements for compensation under this section, including the  
145 certification required for establishing eligibility for such compensation;

146       (B) Establishing methods by which any books, records, documents,  
147 contracts or other papers relevant to the eligibility of a covered  
148 employee shall be examined, or caused to be produced or examined;

149       (C) Establishing methods by which witnesses who provide  
150 information relevant to a covered employee's claim for family and  
151 medical leave compensation may be summoned and examined under  
152 oath;

153       (D) Ensuring the confidentiality of records and documents relating to  
154 medical certifications, recertifications and medical histories of covered  
155 employees and covered employees' family members pursuant to section  
156 31-51oo;

157       (E) Establishing the percentage of subject earnings each employee  
158 and self-employed individuals or sole proprietors who have enrolled in  
159 the program pursuant to section 31-49m shall contribute to the Family  
160 and Medical Leave Insurance Trust Fund, provided such percentage

161 shall not exceed one-half of one per cent;

162 (F) Certifying the ongoing solvency of the Family and Medical Leave  
163 Insurance Trust Fund and adjusting the compensation offered to  
164 covered employees as necessary to ensure the solvency of the fund as  
165 provided in subdivision (3) of subsection (c) of section 31-49g, provided  
166 the contribution percentage established by the Authority pursuant to  
167 subdivision (5) of this section has reached the statutory maximum; [and]

168 (G) Determining whether an employer meets the requirements for the  
169 administration of a private plan, including the approval, oversight and  
170 termination of such private plan, and developing any potential alternate  
171 measure of subject earnings for the purposes of calculating  
172 compensation under such plans; and

173 (H) Establishing an alternative method of calculating the base period  
174 and base weekly earnings for a covered employee that is employed by a  
175 local or regional board of education or a nonpublic elementary or  
176 secondary school in a position that does not require professional  
177 certification under chapter 166;

178 (12) Notwithstanding any provision of the general statutes, and to the  
179 extent consistent with federal law, (A) use state administrative data  
180 collected by any agency for the purposes of carrying out and  
181 implementing such program, including, but not limited to, eligibility  
182 determination, benefit calculation, program planning, recipient  
183 outreach and continuous improvement and program evaluation,  
184 including assessment of longitudinal impact; and (B) share user data  
185 and other data collected through program administration with other  
186 state agencies for purposes, including, but not limited to, improving  
187 delivery of benefits and services to program participants and other  
188 persons, streamlining eligibility determination for programs  
189 administered by other agencies, recipient outreach and continuous  
190 improvement and program evaluation, including assessment of  
191 longitudinal impact. Expenses incurred for activities undertaken  
192 pursuant to this subdivision, as well as compensation paid to other state  
193 agencies for any associated costs, shall be considered appropriate

194 administrative expenses of the program; [.]

195 (13) Enter into agreements with any department, agency, office or  
196 instrumentality of the United States or this state to carry out the  
197 purposes of the program, including, but not limited to:

198 (A) Memoranda of understanding with the Labor Department and  
199 other state agencies regarding (i) the gathering or dissemination of  
200 information necessary for the operations of the program, subject to such  
201 obligations of confidentiality as may be agreed or required by law, (ii)  
202 the sharing of costs incurred pursuant to the gathering and  
203 dissemination of such information, and (iii) the reimbursement of costs  
204 for any enforcement activities conducted pursuant to section 31-49r.  
205 Each state agency may also enter into such memoranda of  
206 understanding;

207 (B) Memoranda of understanding with the Department of Revenue  
208 Services and the Labor Department for (i) the collection of employee  
209 contributions, and (ii) the reimbursement of costs by the authority for  
210 any costs incurred related to the collection of employee contributions.  
211 The Department of Revenue Services and the Labor Department shall  
212 also enter into such memoranda of understanding; and

213 (C) Memoranda of understanding with the Labor Department for (i)  
214 the adjudication of claims by covered employees aggrieved by a denial  
215 of compensation under the Family and Medical Leave Insurance  
216 Program, and (ii) the reimbursement of costs by the authority for any  
217 costs incurred by the Labor Department related to the adjudication of  
218 contested claims or penalties imposed pursuant to section 31-49r. The  
219 Labor Department shall also enter into such memoranda of  
220 understanding; [.]

221 (14) Make and enter into any contract or agreement necessary or  
222 incidental to the performance of its duties and execution of its powers.  
223 The contracts and agreements entered into by the authority shall not be  
224 subject to the approval of any other state department, office or agency,  
225 provided copies of all such contracts shall be maintained by the



226 authority as public records, subject to the proprietary rights of any party  
227 to such contracts. No contract shall contain any provision in which any  
228 contractor derives any direct or indirect economic benefit from denying  
229 or otherwise influencing the outcome of any claim for benefits. The  
230 standard criteria for the evaluation of proposals relating to claims  
231 processing, web site development, database development, marketing  
232 and advertising, in the event the authority seeks the services of an  
233 outside contractor for such tasks, and for the evaluation of proposals  
234 relating to all other contracts in amounts equal to or exceeding two  
235 hundred fifty thousand dollars shall include, but need not be limited to:  
236 (A) Transparency, (B) cost, (C) efficiency of operations, (D) quality of  
237 work related to the contracts issued, (E) user experience, (F)  
238 accountability, and (G) a cost-benefit analysis documenting the direct  
239 and indirect costs of such contracts, including qualitative and  
240 quantitative benefits that will result from the implementation of such  
241 contracts. The establishment of additional standard criteria shall be  
242 approved by a two-thirds vote of the board after such criteria have been  
243 posted on a public Internet web site maintained by the authority for  
244 notice and comment for at least one week prior to such vote; and

245 (15) Do all things necessary or convenient to carry out the provisions  
246 of sections 31-49e to 31-49t, inclusive, as amended by this act.

247 Sec. 3. Section 31-51kk of the general statutes is repealed and the  
248 following is substituted in lieu thereof (*Effective October 1, 2025*):

249 As used in sections 31-51kk to 31-51qq, inclusive, as amended by this  
250 act:

251 (1) "Eligible employee" means (A) an employee who has been  
252 employed for at least three months immediately preceding [his or her]  
253 such employee's request for leave by the employer with respect to  
254 whom leave is requested, or (B) an employee of a local or regional board  
255 of education or a nonpublic elementary or secondary school (i) whose  
256 position does not require a professional certification under chapter 166,  
257 and (ii) who has been employed for at least three months during the  
258 previous twelve-month period by such local or regional board of

259 education or nonpublic elementary or secondary school with respect to  
260 whom leave is requested;

261 (2) "Employ" includes to allow or permit to work;

262 (3) "Employee" means any person engaged in service to an employer  
263 in this state in the business of the employer;

264 (4) "Employer" means a person engaged in any activity, enterprise or  
265 business who employs one or more employees, and includes any person  
266 who acts, directly or indirectly, in the interest of an employer to any of  
267 the employees of such employer and any successor in interest of an  
268 employer. "Employer" does not include a municipality, a local or  
269 regional board of education, or a nonpublic elementary or secondary  
270 school, except that a local or regional board of education or a nonpublic  
271 elementary or secondary school is an employer with respect to its  
272 eligible employees;

273 (5) "Employment benefits" means all benefits provided or made  
274 available to employees by an employer, including group life insurance,  
275 health insurance, disability insurance, sick leave, annual leave,  
276 educational benefits and pensions, regardless of whether such benefits  
277 are provided by practice or written policy of an employer or through an  
278 "employee benefit plan", as defined in Section 1002(3) of Title 29 of the  
279 United States Code;

280 (6) "Family member" means a spouse, sibling, son or daughter,  
281 grandparent, grandchild or parent, or an individual related to the  
282 employee by blood or affinity whose close association the employee  
283 shows to be the equivalent of those family relationships;

284 (7) "Grandchild" means a grandchild related to a person by (A) blood,  
285 (B) marriage, (C) adoption by a child of the grandparent, or (D) foster  
286 care by a child of the grandparent;

287 (8) "Grandparent" means a grandparent related to a person by (A)  
288 blood, (B) marriage, (C) adoption of a minor child by a child of the  
289 grandparent, or (D) foster care by a child of the grandparent;

290 (9) "Health care provider" means (A) a doctor of medicine or  
291 osteopathy who is authorized to practice medicine or surgery by the  
292 state in which the doctor practices; (B) a podiatrist, dentist, psychologist,  
293 optometrist or chiropractor authorized to practice by the state in which  
294 such person practices and performs within the scope of the authorized  
295 practice; (C) an advanced practice registered nurse, nurse practitioner,  
296 nurse midwife or clinical social worker authorized to practice by the  
297 state in which such person practices and performs within the scope of  
298 the authorized practice; (D) Christian Science practitioners listed with  
299 the First Church of Christ, Scientist in Boston, Massachusetts; (E) any  
300 health care provider from whom an employer or a group health plan's  
301 benefits manager will accept certification of the existence of a serious  
302 health condition to substantiate a claim for benefits; (F) a health care  
303 provider as defined in subparagraphs (A) to (E), inclusive, of this  
304 subdivision who practices in a country other than the United States, who  
305 is licensed to practice in accordance with the laws and regulations of  
306 that country; or (G) such other health care provider as the Labor  
307 Commissioner determines, performing within the scope of the  
308 authorized practice. The commissioner may utilize any determinations  
309 made pursuant to chapter 568;

310 (10) "Municipality" has the same meaning as provided in section 7-  
311 245;

312 (11) "Parent" means a biological parent, foster parent, adoptive  
313 parent, stepparent, parent-in-law or legal guardian of an eligible  
314 employee or an eligible employee's spouse, an individual standing in  
315 loco parentis to an eligible employee, or an individual who stood in loco  
316 parentis to the eligible employee when the employee was a child;

317 (12) "Person" means one or more individuals, partnerships,  
318 associations, corporations, business trusts, legal representatives or  
319 organized groups of persons;

320 (13) "Reduced leave schedule" means a leave schedule that reduces  
321 the usual number of hours per workweek, or hours per workday, of an  
322 employee;

323 (14) "Serious health condition" means an illness, injury, impairment,  
324 or physical or mental condition that involves (A) inpatient care in a  
325 hospital, hospice, nursing home or residential medical care facility; or  
326 (B) continuing treatment, including outpatient treatment, by a health  
327 care provider;

328 (15) "Sibling" means a brother or sister related to a person by (A)  
329 blood, (B) marriage, (C) adoption by a parent of the person, or (D) foster  
330 care placement;

331 (16) "Son or daughter" means a biological, adopted or foster child,  
332 stepchild, legal ward, or, in the alternative, a child of a person standing  
333 in loco parentis, or an individual to whom the employee stood in loco  
334 parentis when the individual was a child; and

335 (17) "Spouse" means a person to whom one is legally married.

336 Sec. 4. Section 31-51rr of the general statutes is repealed and the  
337 following is substituted in lieu thereof (*Effective October 1, 2025*):

338 (a) Each political subdivision of the state shall provide the same  
339 family and medical leave benefits under the federal Family and Medical  
340 Leave Act, P.L. 103-3, and 29 CFR 825.112 to [(1)] any employee of such  
341 political subdivision who is a party to a marriage in which the other  
342 party is of the same sex as the employee, and who has been employed  
343 for at least twelve months by such employer and for at least one  
344 thousand two hundred fifty hours of service with such employer during  
345 the previous twelve-month period, which benefits shall be the same as  
346 are provided to an employee who is a party to a marriage in which the  
347 other party is of the opposite sex of such employee. [ (2) on or after the  
348 effective date of regulations adopted pursuant to subsection (f) of this  
349 section, a paraeducator who has been employed in an educational  
350 setting for at least twelve months by such employer and for at least nine  
351 hundred fifty hours of service with such employer during the previous  
352 twelve-month period, or (3) on or after October 1, 2024, any person  
353 employed by a local or regional board of education who does not hold  
354 a professional certification under chapter 166 and has been employed

355 for at least twelve months by such employer and for at least nine  
356 hundred fifty hours of service with such employer during the previous  
357 twelve-month period.]

358 (b) [(1)] Any employee of a political subdivision of the state who has  
359 worked at least twelve months and one thousand two hundred fifty  
360 hours for such employer during the previous twelve-month period [, (2)  
361 on or after the effective date of regulations adopted pursuant to  
362 subsection (f) of this section, a paraeducator who has been employed in  
363 an educational setting for at least twelve months by such employer and  
364 for at least nine hundred fifty hours of service with such employer  
365 during the previous twelve-month period, or (3) on or after October 1,  
366 2024, any person employed by a local or regional board of education  
367 who does not hold a professional certification under chapter 166 and has  
368 been employed for at least twelve months by such employer and for at  
369 least nine hundred fifty hours of service with such employer during the  
370 previous twelve-month period] may request leave in order to serve as  
371 an organ or bone marrow donor, provided such employee may be  
372 required, prior to the inception of such leave, to provide sufficient  
373 written certification from the physician of such employee, a physician  
374 assistant or an advanced practice registered nurse of the proposed organ  
375 or bone marrow donation and the probable duration of the employee's  
376 recovery from such donation.

377 (c) Nothing in this section shall be construed as authorizing leave in  
378 addition to the total of twelve workweeks of leave during any twelve-  
379 month period provided under the federal Family and Medical Leave  
380 Act, P.L. 103-3.

381 (d) The Labor Department shall enforce compliance with the  
382 provisions of this section.

383 [(e) For the purposes of subdivision (2) of subsections (a) and (b) of  
384 this section, no hours of service worked by a paraeducator prior to the  
385 effective date of regulations adopted pursuant to subsection (f) of this  
386 section shall be included in the requisite nine hundred fifty hours of  
387 service.]

388        [(f)] (e) The Labor Commissioner shall adopt regulations for the  
389        provision of family and medical leave benefits to paraeducators  
390        employed in an educational setting pursuant to this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2025</i>	31-49e
Sec. 2	<i>October 1, 2025</i>	31-49h
Sec. 3	<i>October 1, 2025</i>	31-51kk
Sec. 4	<i>October 1, 2025</i>	31-51rr

**LAB**        *Joint Favorable Subst.*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

## **OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

<b>Municipalities</b>	<b>Effect</b>	<b>FY 26 \$</b>	<b>FY 27 \$</b>
Local and Regional School Districts	Potential Cost	Potential Significant	Potential Significant

## **Explanation**

The bill, which expands the Paid Family and Medical Leave Insurance (PFML) program to cover certain local, regional board of education, and nonpublic elementary or secondary school employees, does not result in a fiscal impact on the Paid Leave Contribution Trust Fund (PLCTF) to the extent this expansion mirrors the expenditure and revenue trends of the existing program. However, it results in a potential cost to local and regional school districts to the extent that non-certified personnel utilize the program.

Expanding the PFML program benefits to non-certified school employees may lead to increased costs associated with hiring temporary staff to perform the duties of employees on leave, starting in FY 26. The cost may be significant, depending on the number of non-certified personnel who: (1) take more time off than they would have in the absence of program availability; and (2) need replacement staff, and the amount of time taken by such staff.

Districts may also have one-time implementation costs, starting in FY 26, to update existing systems and provide administrative training related to expanding PFML benefits.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.



**OLR Bill Analysis****sSB 1427*****AN ACT EXPANDING PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM BENEFITS TO CERTAIN SCHOOL EMPLOYEES.*****SUMMARY**

This bill extends the state's Paid Family and Medical Leave Insurance Program to cover employees of local or regional boards of education, or nonpublic elementary or secondary schools, whose position does not require a professional certification under the law for teachers and superintendents ("non-certified school employees"). It correspondingly extends the state's Family and Medical Leave Act (FMLA) to cover these employees, which allows them to take job-protected unpaid leave for certain reasons and receive a partial wage replacement benefit from the program while on leave.

The bill also makes various changes to accommodate the non-certified school employees' particular employment conditions (e.g., summer breaks), such as (1) allowing the Paid Family and Medical Leave Authority to establish an alternative method to calculate their base period and base weekly earnings (to calculate their benefits) and (2) allowing them to qualify for FMLA job-protected leave if they were employed for three months during the previous 12-month period (rather than for the three months preceding a leave for other covered employees).

EFFECTIVE DATE: October 1, 2025

**PAID FAMILY AND MEDICAL LEAVE**

Currently, nonpublic school employees are not covered by the Paid Family and Medical Leave Insurance Program and municipal and school board employees are only covered if coverage is negotiated

through collective bargaining. In extending the program to non-certified school employees, the bill generally (1) requires them to contribute to the program through a payroll deduction administered by their employers and (2) allows them to receive partial wage replacement benefits when they take unpaid leave from employment under the FMLA.

To qualify for benefits under current law, covered employees must also have (1) earned at least \$2,325 during their highest earning quarter within their base period (i.e. the first four of the five most recently completed quarters) and (2) been employed by an employer in the previous twelve weeks. A covered employee's weekly benefit from the program is based on his or her "base weekly earnings," which are 1/26 of his or her total wages earned during the two highest-paid quarters in the employee's base period.

The bill authorizes the Connecticut Paid Leave Authority, which administers the program, to establish an alternative method of calculating the base period and base weekly earnings for the non-certified employees covered by the bill.

### **FMLA**

The state's current FMLA excludes employees of local or regional boards of education or nonpublic elementary or secondary schools. The federal FMLA gives these employees substantially similar job-protected unpaid leave but uses different eligibility criteria from Connecticut's FMLA. For example, the federal law requires eligible employees to have been employed by their employer for at least 12 months and 1,250 work-hours, but the state's FMLA requires them to have been employed for at least three months immediately preceding their leave. However, current state law also requires the state's political subdivisions to (1) give the same benefits as the federal FMLA to school paraeducators and other non-certified school employees who have worked for them for at least 12 months and 950 work-hours and (2) allow those employees to take leave to be an organ or bone marrow donor.

The bill extends the state's FMLA to cover non-certified school employees and creates separate eligibility criteria for them, requiring them to have been employed by their school or school district for at least three months during the previous 12-month period. It also makes conforming changes to, among other things, remove the current requirement for paraeducators and other non-certified school employees to get the same benefits as the federal FMLA allows with a lower work-requirement threshold.

**COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 9      Nay 4      (03/20/2025)