

YOUR EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

What is FMLA leave?

The Family and Medical Leave Law (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor and the Division (WHD) enforces the FMLA for most employees.

Eligible employees are up to 12 workweeks of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you.
- Your spouse's mental or physical health condition that makes you unable to work.
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying spouses related to the foregoing of your spouse, child or parent who is a military service member.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may **take up to 26 workweeks of FMLA leave in a single 12-month period** to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA **intermittently in separate blocks of time, or on a reduced schedule** by working less than your full day or week.

Unpaid FMLA leave is not paid leave. You may, however, be required by your employer to use any unpaid employee-provided paid leave if your employer's paid leave policy requires you to use that leave which you need for FMLA.

Am I eligible to take FMLA leave?

- You are an **eligible employee** as all of the following apply:
 - You work for a covered employer.
 - You have worked for your employer at least 1 month.
 - You have been at least 1,250 hours of service for your employer during the 12 months before your leave, and
 - Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

- You work for a **covered employer** if one of the following applies:
 - You work for a private employer (that is not a federal, state or local government agency) during at least 2 of the 12 months in the current or previous calendar year.
 - You work for a elementary or public or private secondary school.
 - You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by FMLA if the FMLA is administered by the Office of Personnel Management.

How do I request FMLA leave?

Generally, you should follow these steps:

- Follow your employer's normal policies for requesting leave.
- Give notice at least 30 days before you need the FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You do not have to have a medical diagnosis that must provide enough information to your employer as they determine whether the leave qualifies for FMLA protection. **You must also inform your employer if FMLA leave was previously taken or approved for the same reason** when requesting additional leave.

Eligible employees may request certification from a health care provider to verify medical leave and may request certification of a qualifying event.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family and medical leave rights.

The FMLA does not require that certain limitations in pursuit of direct retaliation regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the FMLA as they are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

What does my employer have to do?

- If you are eligible for FMLA leave, your employer must:
 - Allow you to take the requested time off for a qualifying reason.
 - Continue your group health and other benefits while you are on leave on the same basis as if you had not taken leave, and
 - Allow you to return to the same job or, if a virtually identical job with the same pay, benefits and other working conditions, to a substantially similar job within a reasonable period of time after the leave ends.

Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, an employer cannot retaliate against you for requesting FMLA leave or cooperating with FMLA investigation.

After becoming aware that you need FMLA leave it is a reason that may qualify under the FMLA, **your employer must confirm whether you are eligible** or not eligible to request FMLA. If your employer determines that you are eligible, **your employer must notify you in writing** that:

- About your FMLA rights and responsibilities, and
- About your requested leave, its amount, its FMLA-protected leave.

Where can I find more information on FMLA?

Call 1-866-437-2243 or visit doh.gov/fmla to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about WHD complaint process.**



SCAN ME

WH1420

REV. 04/2023

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

Who is Protected?

Employers (small and large), including managers and temporary employees
Job applicants
Union members and applicants for membership in a union

What is the Purpose of Employment Discrimination Legislation?

Under the EEOC laws, you may not discriminate against someone on the basis of your immigration status, on the basis of:

- Race
- Color
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual harassment, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use of, or disclosure of genetic test results, genetic services, or family medical history)

Retaliation for filing a charge, reasonably expecting termination, or disclosure to a discrimination law enforcement, investigation, or proceeding (harassment, coercion, or threats related to missing rights regarding disability discrimination or pregnancy accommodation)

What Organizations are Covered?

- State or local government agencies
- State and local (public) employers (as employees)
- State and local institutions (as employers)
- Staffing agencies

What Employment Practices Can be Challenged as Discriminatory?

All aspects of employment, including:

- Discharge, firing, lay-off or
- Discrimination in hiring, advancement, verbal or physical contact
- Hiring or promotion
- Assignment
- Pay (wage laws or compensation)

What are the EEOC's Enforcement Procedures?

Additional information about the EEOC, including information about filing a charge and discrimination, is available at www.eeoc.gov.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The EEOC enforces Federal Acquisition Regulation (FAR) EEOC's regulations enforce the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are a prime or a subcontractor of Federal law from discrimination in the following areas:

- Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin

Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity or national origin, or any combination of these characteristics. Contractors and subcontractors are required to take affirmative action to ensure equality of opportunity in all phases of their business.

Asking About, Disclosing, or Discussing Pay
Executive Order 11246, as amended, protects contractors and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation and the compensation of other employees or applicants.

Disability

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination by Federal contractors. Disability discrimination includes, but is not limited to, recruitment, hiring, promotion, pay, fringe benefits, job training, classification, transfer, and other aspects of employment by Federal contractors. Disability discrimination includes but is not limited to reasonable accommodation in the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to ensure that individuals with disabilities are employed by Federal contractors on an equal basis, including the employment of individuals with disabilities who are veterans of the armed services, including the disabled veterans.

Protected Veterans Status

The Veterans Era Warrant Reauthorization Act of 2014, as amended, 38 U.S.C. 4212, prohibits employment discrimination on the basis of protected veterans status. Protected veterans status includes, but is not limited to, disabled veterans, recently separated veterans (as in the case of a discharge within the past 15 years of discharge), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an EEOC proceeding, or otherwise exercises his or her rights under Federal Government discrimination laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under EEOC's laws may file a complaint with the EEOC.

The U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20036
1-800-375-6321 (toll-free)
If you are deaf, hard of hearing, or have a speech disability, call 1-800-375-6321 or use our video relay service. EEOC may also be contacted by submitting a question to the EEOC's Help Desk at www.helplinehelpdesk.com.

If you are a Federal contractor or subcontractor, you may also contact your regional or district office. EEOC's toll-free telephone directory is at www.EEOC.gov, Department of Labor and the EEOC's OFCCP website at <http://www.dhs.gov/eoexecutiveorder/eeoc/contract>.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex

Title VI of the Civil Rights Act of 1964 and Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VII of the primary objective of the financial assistance is provision of employment, or where employment discrimination occurs or may cause discrimination in the provision of services or educational opportunities to individuals receiving Federal financial assistance. Employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance is prohibited.

Individuals with Disabilities

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities. Individuals with disabilities who are employees, students, or applicants of a Federal contractor or subcontractor, can perform the essential functions of the job. You have the right to request reasonable accommodations if you are an individual with a disability who is an employee or student of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

REV 06/2023

EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-hirement screening or during the course of employment.

PROHIBITIONS

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armed car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

**DEPARTMENT OF LABOR
UNITED STATES OF AMERICA**

WHD

**WAGE AND HOUR DIVISION
LABOR**

1-866-487-9243
www.dol.gov/agencies-whd



WHI462

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

REV. 02/2022

Commission on Human Rights and Opportunities

Discrimination is Illegal.

Connecticut law prohibits discrimination in:

On the basis of: - age - ancestry - disability (past and present intellectual, mental, learning, and physical disabilities, including but not limited to, blindness, deafness, mobility impairments, and use of a guide dog or guide dog in training) - familial status (housing only)	EMPLOYMENT, HOUSING, PUBLIC ACCOMMODATIONS, AND CREDIT TRANSACTIONS gender identity or expression genetic information (employment only) lawful source of income (housing and public accommodations only) marital status national origin race religious creed sex (including pregnancy, childbirth and related conditions, accommodations for pregnancy, breastfeeding, and sexual harassment)
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Do you believe you have been discriminated against? Call us at (860) 541-3400, scan the QR Code or visit <https://portal.ct.gov/chro> to contact CHRO today.



Don't Worry Alone

Free, Expert Assistance & Representation

Insurance Denials & Appeals, Billing Errors, and Access to Care

Any type of health coverage – Commercial, Medicare, HUSKY & others

Call: 1.866.466.4446

Visit: ct.gov/oha

Email: Healthcare.Advocate@ct.gov

Office of the Healthcare Advocate

STATE OF CONNECTICUT

A free service of the State of Connecticut.

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

TWO ways to verify poster compliance!

To update your labor law posters contact

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