

Sec. 31-51qq-14. Does FMLA leave have to be taken all at once, or can it be taken in parts (intermittently or on a reduced schedule)?

(a) An eligible employee may take FMLA leave intermittently or on a reduced schedule under certain circumstances. Intermittent leave is FMLA leave taken in separate blocks of time due to a single qualifying reason. Reduced schedule leave is a leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday. A reduced schedule leave is a change in the employee's schedule for a period of time, normally from full-time to part-time.

(b) When leave is taken after the birth or placement of a child for adoption or foster care, an employee may take a leave intermittently or on a reduced schedule only if the employer agrees. Such a schedule reduction might occur, for example, where an employee, with the employer's agreement, works part-time after the birth of a child, or takes leave in several segments. The employer's agreement is not required for leave during which the mother has a serious health condition in connection with the birth of her child or if the newborn child has a serious health condition.

(c) An eligible employee may take leave intermittently or on a reduced schedule when medically necessary for planned or unanticipated medical treatment of a serious health condition or of a covered servicemember's, as defined by section 31-51qq-50(a)(1) of the Regulations of Connecticut State Agencies, serious injury or illness, or for recovery from treatment or recovery from a serious health condition or a covered servicemember's serious injury or illness. An eligible employee may also take leave to provide care or psychological comfort to a family member with a serious health condition or a covered servicemember.

(1) An eligible employee may take intermittent leave for the serious health condition of a family member, for the employee's own serious health condition, or for a serious injury or illness of a covered servicemember which requires treatment by a health care provider periodically, rather than for one continuous period of time, and the leave may include periods from an hour or more to several weeks.

(2) Examples of intermittent leave would include leave taken on an occasional basis for medical appointments, or leave taken several days at a time spread over a period of several months, such as for chemotherapy. A pregnant employee may take leave intermittently for prenatal examinations or for her own condition, such as for periods of severe morning sickness. An example of an employee taking leave on a reduced schedule is an employee who is recovering from a serious health condition and is not strong enough to work a full-time schedule.

(3) An eligible employee may take intermittent or reduced schedule leave for absences where the employee or family member is incapacitated.

(d) Leave due to the employee serving as an organ or bone marrow donor may be taken on an intermittent or reduced schedule basis.

(e) Leave due to a qualifying exigency, as described in section 31-51qq-49 of the Regulations of Connecticut State Agencies, may be taken on an intermittent or reduced schedule basis.

(f) There is no limit on the size of an increment of leave when an employee takes intermittent leave or leave on a reduced schedule. However, an employer may limit leave increments to the shortest period of time that the employer's payroll system uses to account

Regulations of Connecticut State Agencies

for absences or use of leave, provided it is one (1) hour or less. For example, an employee might take two (2) hours off for a medical appointment, or might work a reduced day of four (4) hours over a period of several weeks while recuperating from an illness. An employee may not be required to take more FMLA leave than necessary to address the circumstance that precipitated the need for the leave.

(Adopted effective March 9, 1999; Amended August 3, 2022)