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**MASHANTUCKET PEQUOT FAMILY AND MEDICAL LEAVE LAW, TITLE 51 M.P.T.L.**  
**FINAL REGULATIONS OF THE MERO**  
**MERO Regs. §§ 51-1-1-1 to 51-14-1-1**

**Table of Contents:**

<b>Section</b>	<b>Title and Summary</b>	<b>Page</b>
<b>I</b>	<b>Summary Information</b> – The Section I summary includes the effective date of the final regulations and the citation.	<b>1</b>
<b>II</b>	<b>Background Information</b> – Section II provides background information about the subject matter and development of the regulations.	<b>2</b>
<b>III</b>	<b>Developing the Regulations</b> – Section III provides information about the basis for the proposed regulations, the process for developing the regulations and the public comment opportunities.	<b>3</b>
<b>IV</b>	<b>Final Regulations</b> – The final regulations.	<b>4</b>

**I. Summary Information**

**A. Summary of Regulations:** On about October 4, 2023, the Mashantucket Employment Rights Office (MERO) proposed MERO-PR2023-001-T51, comprehensive regulations implementing the Mashantucket Pequot Family and Medical Leave Law (MFML Law), Title 51 M.P.T.L.. The MFML Law provides leave and workplace protections to eligible employees of the Mashantucket Pequot Tribe who require time away from work to attend to family or medical issues.

**B. Effective Date:** The effective date of the Final Regulations is the date of the publication on the MERO website.

**Citation:** The Title 51 regulations may be cited as follows: Sections 51-1-1-1-to 51-14-1-1 of the MERO Regulations, or MERO Regs. §§ 51-1-1-1 to 51-14-1-1.

## **II. Background Information:**

### **A. Mashantucket Pequot Family and Medical Leave Law**

In 2022, the Judicial Committee, a standing committee of the Tribe's legislative body, the Tribal Council, developed a comprehensive family and medical leave law to provide leave and workplace protections to eligible employees of the Tribe who require time away from work to attend to family or medical issues. During the development phase, the public was invited to comment on the text of the proposed new law. All comments were conveyed to the Judicial Committee, which considered the feedback in developing its final recommendation to the Tribal Council.

In January, 2023, the Tribal Council adopted the Judicial Committee's final recommendation and enacted the new law, the Mashantucket Pequot Family and Medical Leave Law, Title 51 M.P.T.L. The effective date of the new law was October 1, 2023. The MERO was charged with developing regulations for the implementation of the MFML Law.

### **B. Mashantucket Pequot Family and Medical Leave Law Regulations**

Regulations, MERO-PR2023-001-T51, were proposed and published for public comment on about October 4, 2023. The public was provided a period of not less forty-five (45) calendar days, through Monday, November 20, 2023, to provide oral or written comments on the proposed regulations, including through ten (10) scheduled one-hour Zoom sessions. No member of the public participated in a Zoom session or submitted oral or written comments.

The MERO's further review of the draft regulations resulted in additional changes to the draft. Most of the revisions and rearrangement of text were for purposes of consistency (internal and with the forms) and clarification. Some of the substantive changes include recognizing Native American healers as health care providers (MERO Regs. § 51-2-1-16), allowing for the private resolution of claims (MERO Regs. § 51-9-1-3), and addressing the requirements for a willful allegation (MERO Regs. § 51-11-2-1). At the discretion of the MERO, a second public comment opportunity was determined to be appropriate.

On about June 26, 2024, revised regulations, MERO-PR2023-001-T51 were published. The public was provided a second comment period of not less than thirty (30) calendar days through 11:59 p.m. on Monday, July 29, 2024 to provide written comments on any aspect of the revised draft regulations. No written comments were received by the MERO. Select additional minor changes were subsequently made for clarity.

## **III. Developing the Regulations:**

- A. Purpose:** The proposed regulations support the MFML Law by comprehensively addressing compliance, administration and enforcement of the Mashantucket Pequot Family and Medical Leave Law.

- B. Authority:** The final regulations are issued under the authority vested in the MERO by the Tribal Council, including through Title 31, the Mashantucket Employment Rights Law, and Title 51, the Mashantucket Pequot Family and Medical Leave Law.
  - C. Publication of Comments:** As there were no timely public comments received during either the first or second public comment opportunity, no comments are available for publication.
  - D. Supersedence:** This final rule supersedes any conflicting rules, decisions, administrative directives, guidance or other declaration of the MERO with respect to the subject matter addressed in the Final Regulations.
  - E. Severability:** Should any part of the regulations be invalidated by a court of competent jurisdiction, the invalidated part shall be severed and the remaining parts shall remain in full force and effect.
  - F. Headings & Numbering:** Headings generally identify the topic of the section and, where applicable, the section or subsection of the MFML Law addressed. The numbering of each regulation provision generally identifies the section or subsection of the MFML Law that it interprets, followed by sequential numbering of regulation provisions applicable to that section or subsection of the law.
  - G. Additional Information About Development of MFML Law Regulations:** Any additional information the MERO may wish to share about the development process, such as any modifications to the process or specific requests for feedback on particular aspects of the regulations for consideration of further substantial revisions, will be communicated by posting on the MERO website, <https://MERO.mptn-nsn.gov>.
- IV. Final Regulations:** Published with this notice are the Mashantucket Pequot Family and Medical Leave Law Final Regulations, MERO Regs. §§ 51-1-1-1 to 51-14-1-1.

Ursula L. Haerter, MERO Director  
Approved August 27, 2024.

This document will be posted with the Final Regulations on the MERO website for a period of at least 30 calendar days.