



Mashantucket Pequot
Tribal Nation

MASHANTUCKET EMPLOYMENT RIGHTS OFFICE

EMPLOYEE FAMILY & MEDICAL LEAVE RIGHTS

Under Title 51, the Mashantucket Pequot Family and Medical Leave Law

The Mashantucket Pequot Family and Medical Leave Law (MFML Law) provides workplace protections to eligible employees of the Tribe who require time away from work to attend to family or medical issues.

SUMMARY OF UNPAID LEAVE BENEFITS

REASON FOR LEAVE	ELIGIBILITY FOR BENEFIT	AMOUNT OF LEAVE TIME WITHIN A 12-MONTH PERIOD
The employee’s own qualifying serious health condition that prevents them from working	Employed at least six (6) consecutive months prior to the first date of the requested leave	12 weeks, plus an additional two (2) weeks of continuous leave for the employee’s own serious health condition
To provide an organ or bone marrow donation		
The birth or placement (adoption or foster care) of a child and care for the child within the first year after birth or placement	Employed for at least 12 months and at least 1,250 hours of service during the 12-month period prior to the first date of the requested leave	12 weeks
To care for a family member with a qualifying serious health condition		
For a qualifying exigency related to a military family member’s foreign deployment		
To care for a covered servicemember with a serious illness or injury (by family member or next of kin)		26 weeks

Combined total leave in a 12-month period may not exceed 26 weeks.

- **Who is a “family member” for whom qualifying leave may be taken?** Family member includes the employee’s spouse, sibling, child, grandchild, parent, or grandparent.
- **When must leave be requested?** If possible, an employee must provide the employer with 30 days advance notice of the need for leave. Otherwise, notice is provided as soon as possible, following the employer’s usual process.
- **Is other documentation required?** The employee may be required to provide certification or recertification to support the need for leave. A medical diagnosis may not be required, but enough information must be provided to allow the employer to determine if the leave qualifies as MFML.
- **Must leave be taken as a block of time?** Leave may be taken intermittently or by reducing the employee’s work schedule if doing so is medically necessary or otherwise permitted.
- **Is there a paid leave option?** The employer may require, or the employee may choose, to substitute accrued paid leave for unpaid leave. The employee is permitted to retain two (2) weeks of accrued leave.
- **What happens with benefits during the leave?** The employer must continue group health insurance coverage as if the employee was not on leave.
- **What happens at the end of the leave period?** Most employees must be returned to the same job or one nearly identical. The employee may be required to submit a certification that they may return to work.
- **What are some of the employer’s responsibilities?** The employer provides employees with information, including eligibility criteria, the employee’s rights and responsibilities, and eligibility determinations, including if leave is designated as MFML and, if so, how much leave is designated as MFML.
- **What are some other job protections?** An employer may not interfere with or deny an employee’s MFML Law rights, or retaliate against someone for exercising their rights or opposing an unlawful practice.

An employee who believes their rights under the MFML Law have been violated may file a claim with the MERO within 180 calendar days of the event believed to be a violation. For additional information, contact the MERO at: MERO@mptn-nsn.gov or 860-396-6508. The MERO is located in the Pequot Museum. Please call for an appointment.