

NEW VERMONT FAMILY AND MEDICAL LEAVE INSURANCE (FMLI) BENEFIT FOR STATE EMPLOYEES.

FREQUENTLY ASKED QUESTIONS

> WHAT BENEFITS DOES VERMONT FAMILY AND MEDICAL LEAVE INSURANCE (FMLI) PROVIDE?

If you can't work due to a qualifying leave event, FMLI provides eligible employees with 60% of their pre-leave base weekly wages (up to the maximum weekly benefit of \$1,848.46 per week for 2023 claims) for up to a combined total of six weeks per benefit year.¹

> WHICH STATE OF VERMONT EMPLOYEES ARE ELIGIBLE FOR FMLI?

Eligible Employees

To be eligible, you must:

- Be a classified or exempt employee of the Executive, Judicial or Legislative branches, or a State Transport Deputy, or an employee of one of the County State's Attorney's Offices.
- Have been an employee of the State of Vermont for at least one year since your most recent date of hire.
- Be paid through the State of Vermont payroll system.

Ineligible Employees

Ineligible employees include:

- Appointees in the Judicial branch whose annual salaries are set in statute.
- Elected officials in the Executive branch whose annual salaries are set in statute.
- Temporary employees.
- General Assembly members.

> HOW MUCH WILL FMLI COST ME?

There is no cost for employees. The State, as your employer, covers 100% of the premium.

> DO I NEED TO SIGN UP FOR FMLI?

No. Eligible employees will be automatically enrolled, which will allow you to take advantage of this benefit.

> WHEN DOES FMLI GO INTO EFFECT?

FMLI is available to eligible State of Vermont employees beginning July 1, 2023.

> WHAT LEAVE EVENTS ARE ELIGIBLE FOR FMLI BENEFITS?

The following **Medical Leave** reason is covered under FMLI:

- Your own serious health condition, including the birth of a child.

The following **Family Leave** reasons are covered under FMLI:

- Caring for a family member with a serious health condition.
- Bonding with a child during the first year following birth or within the first year of initial placement for adoption or fostering.³
- Caring for a covered military servicemember with a serious illness or injury if you are their spouse, child, parent, or next of kin, as defined by [Family and Medical Leave Act](#).
- A qualifying exigency associated with covered active duty in the military, or a call to covered active duty of your parent, spouse, or child.



> WHO IS CONSIDERED A FAMILY MEMBER UNDER FMLI?

For FMLI purposes, family members include your:

- **Spouse** (husband, wife, domestic partner, or civil union partner).²
- **Child** (biological, adopted, foster, or stepchild), a legal ward, or a child to whom you stand, or stood, in place of a parent when the person was a minor child (under age 18), or age 18 or older if the child is incapable of self-care because of a mental or physical disability.
- **Parent or spouse's parent** (biological, adoptive, step or foster mother or father or any other individual who acted in place of a parent to you or your spouse when you or your spouse were children).

> WHAT IS THE LENGTH OF TIME FMLI WILL COVER?

Beginning July 1, 2023, eligible employees will have up to six weeks combined for Family and/or Medical Leave benefits per “benefit year,” available for use. A benefit year is the 52-week period beginning on the first day of your first approved FMLI leave. A new “benefit year” will begin when the previous benefit year ends.

> WHAT PERCENTAGE OF MY INCOME WILL THE FMLI BENEFITS REPLACE?

60% of your pre-leave base weekly wages, up to the maximum weekly benefit of \$1,848.46 per week for 2023 claims. The maximum weekly benefit may be adjusted annually.

> ONCE MY LEAVE IS APPROVED UNDER THE POLICY, HOW LONG WILL I HAVE TO WAIT FOR MY BENEFIT PAYMENT?

For medical leave, there is a seven calendar day waiting period and payments will begin on the eighth day. Benefits are paid at the end of each week of approved leave.

For family leave, claims are payable beginning on the first day of leave, and benefits are paid at the end of each week of approved leave.

> CAN I USE FMLI AND ACCRUED LEAVE TIME FOR THE SAME LEAVE EVENT?

It is your decision how to take paid time off for a qualifying leave event, with certain limitations. Whether your absence from work is continuous over a long period of time, or intermittent (working some hours), you may choose to be paid for your qualifying leave event either by using your Accrued Leave Time or FMLI. You may not, however, use more than one source of payment for the same hours. For example:

- You **may not** use FMLI for eight hours in one day, which replaces 60% of your wages, and also use Accrued Leave Time for those same hours as a supplement to achieve 100% of your pay. However;
 - » You may split the hours between the two payment sources. For example, you may take half a day of Accrued Leave Time and file an FMLI claim for the other half of the day.
 - » You may also split days within a week or pay period between the two payment sources. For example, you may take Accrued Leave Time on Monday and Friday and file a claim for FMLI benefits for Tuesday, Wednesday and Thursday.

> DOES VT FMLI PROTECT MY JOB?

VT FMLI pays a wage replacement benefit but does not provide job protection. The insurance benefit is separate and apart from existing laws that may provide job protection for your leave, such as the federal FMLA and VT's Parental and Family Leave laws.

> DOES THE FEDERAL FAMILY AND MEDICAL LEAVE ACT (FMLA) PAY A WAGE REPLACEMENT BENEFIT?

It does not pay a benefit. FMLA is the law that entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons for up to 12 weeks for most leave reasons.

> IF I AM OUT FOR A QUALIFYING LEAVE REASON THAT BEGAN PRIOR TO JULY 1, 2023 (THE EFFECTIVE DATE OF FMLI), AND MY LEAVE CONTINUES PAST JULY 1, AM I ELIGIBLE FOR FMLI BENEFITS?

Employees out for a continuous qualifying leave reason (as designated by your employer) that began prior to July 1, 2023 will not be eligible for a benefit payment for that leave event.

Approved intermittent leaves or leaves taken on a reduced schedule that began prior to July 1, 2023, will be considered for benefit payment if you complete a full day of work on, or after, July 1, 2023.

- For example, if you are on a reduced schedule leave for child bonding that began prior to July 1, 2023, and you work one full day on or after July 1, 2023, the remainder of the approved reduced schedule leave will be considered for benefit payment.

> CAN I BE ABSENT FROM WORK FOR A QUALIFYING LEAVE REASON IN INCREMENTS OF LESS THAN A DAY OR INTERMITTENTLY IN FULL DAY INCREMENTS? OR IS LEAVE ONLY AVAILABLE TO BE TAKEN ALL AT ONCE?

Leave is available to you on an intermittent or reduced schedule basis. It may be taken in separate periods of time for a single qualifying leave reason, rather than for one continuous period of time.

Examples of intermittent leave include leave taken on an occasional basis for medical appointments or leave taken several days at a time spread over a period of months.

You may file a claim for qualifying leave benefits in the increment of time that you were absent from work and not otherwise receiving pay for the same period of time from your employer, as long as the smallest increment for which you submit a claim is not less than one hour.

> HOW DO I FILE A CLAIM FOR FMLI?

Beginning June 1, you can file a claim by phone at 866-432-6744 from 8 a.m. to 8 p.m., EST or online by visiting our website, [TheHartford.com/VT](https://www.TheHartford.com/VT). You may file a claim at anytime in advance of your leave.

> DO I HAVE TO LIVE IN VERMONT TO BE ELIGIBLE FOR VT FMLI?

No. You do not need to live in the state of Vermont to be eligible for FMLI.



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¹ A benefit year is the 52-week period beginning on the first day of your first approved FMLI leave.

² Under Vermont law, 15 VSA Section 1204(a), civil union partners have all the same benefits, protections and responsibilities as are granted to spouses in a civil marriage.

³ Including but not limited to attending counseling sessions, court appearances, consulting with an attorney or the doctor(s) representing the birth parent, submitting to a physical examination, or travelling to another country to complete the adoption.

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