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Officer sues over denied family leave

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A Nassau Sheriff's Department officer has filed a $100-million suit against the department and the county, saying he was denied the right to take a leave of absence when his wife was gripped by postpartum depression after the birth of their son.

An attorney for Jeff Colletti filed a complaint in U.S. District Court in Central Islip Thursday, alleging the department blocked Colletti's access to the federal Family and Medical Leave Act.

The measure requires employers to grant unpaid leave to workers who request time off for medical reasons associated with themselves or family members or for the birth of a child.

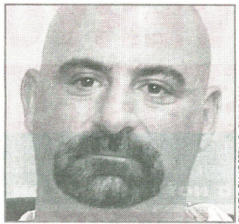

PHOTO BY JOSEPH D. SULLIVAN

Jeff Colletti says his wife had postpartum depression.

"They were incredibly insensitive to me, my wife and a couple-days-old baby," said Colletti, 42, a 20-year correction officer. "It made me mad and my rights were violated."

His attorney, Paul Margiotta of Bay Shore, said the Sheriff's Department had plenty of opportunities to grant Colletti leave and avoid the suit.

"It doesn't cost anything to comply with this and it really doesn't send a good message to their officers," Margiotta said.

County jail officials declined to comment on pending litigation. "Even without having had the opportunity to review Mr. Colletti's claims, however, we can state that the county has made every effort to ensure compliance with the provisions of the Family and Medical Leave Act for all its employees and does not deny leave to employees who meet the statutory eligibility requirements," said jail general counsel Elizabeth Loconsolo.

Colletti said he asked for paternity leave April 1, 2008, after his son was born March 29, but it was denied. Two weeks later, his wife, Christine, lapsed into depression, so he asked again for a leave, but was again denied.

"At first, I just wanted bonding time with my wife and son," he said. "But then, my wife started slipping. She started crumbling."

Christine Colletti was hospitalized three times and eventually recovered. The Colletts ended up hiring a nanny, and Jeff Colletti's mother also babysat.

Jeff Colletti said he had taken a previous medical leave in 2007 after an injury on the job. He said the jail told him that because of that leave, he hadn't worked enough hours in 2007 to qualify for another leave.

Mike Adams, president of the Nassau County Sheriff Officers Association, said the group also lobbied unsuccessfully on his behalf: "We went to bat for him. They hemmed and hawed and didn't do it — and we believe they were wrong."