

Quick Guide to The Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) is a federal law that allows eligible employees to take up to a total of 12 weeks of unpaid, job-protected leave, per year:

- For their own serious medical condition
- For the care of a child, parent, or spouse with a serious medical condition
- For the birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care; or
- For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status. In this instance, eligible employees are entitled to 26 weeks of leave.

Employers covered by the FMLA, are:

- Private employers, that have 50 or more employees in 20 or more workweeks in the current or preceding calendar year;
- Public agencies, including a local, state, or federal agency, regardless of the number of employees it employs; or
- Public or private elementary or secondary schools, regardless of the number of employees it employs.

Employees eligible for leave under the FMLA:

- Have worked for a covered employer for at least *12 months* in the last 7 years;
- Have at least *1,250 hours* of service for the employer during the 12 month period immediately prior to the leave; and
- Work at a location where the employer has at least *50 employees within 75 miles* of the employee's worksite.

Important areas to be aware of include:

- Employer requirements to provide notice to employees of eligibility for leave
- Employee requirements to provide notice of the need for leave
- Employee use of intermittent leave (smaller segments of time off)
- Medical certification forms and making disclosure decisions
- Employee return to work rights
- Specific FMLA provisions related to military service

For more detailed information about the FMLA, view our Expanded Quick Guide to the FMLA:

<http://trriagecancer.org/QuickGuide-FMLAExtended>.

For FMLA information from the U.S. Department of Labor, visit: www.dol.gov/whd/fmla.