

Employment

Quick Guide Quick Guide to 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

More Resources

- For more detailed information about the FMLA, read our Expanded Quick Guide to the FMLA - TriageHealth.org/quick-guides/fmlaextended
- U.S. Department of Labor - dol.gov/whd/fmla
- Triage Health Employment Resources - TriageHealth.org/employment

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