

FMLA

What it is, How it works, Why it's important

The Family and Medical Leave Act (FMLA) allows employees to take up to 12 weeks of excused, unpaid leave from their jobs for certain family and medical reasons every year. Its purpose is to help employees balance work and personal obligations. It's important to understand the ins and outs of FMLA's complex rules because failure to follow them carefully could result in possible misconduct, fraud and costly lawsuits. This paper will help explain the highlights of FMLA.

What Is FMLA?

Since 1993, FMLA has allowed employees to take up to 12 weeks of unpaid leave per year when they experience certain family or medical situations, and get their job back when they return to the workplace. For military caregivers, the time allowed is longer; they may take up to 26 weeks of unpaid leave to care for their caregiver responsibilities.

Who Is Covered/Eligible?

Employees must be eligible for FMLA coverage, meaning they have worked for their current employer for at least a year, and worked at least 1,250 hours during the year before they take leave. Additionally, they must work in a location where their employer has at least 50 employees within 75 miles of each other.

Private-sector employers are subject to FMLA if they have employed 50 or more employees during the current or previous calendar year. For public employers like schools or government agencies, the number of employees doesn't matter for FMLA.

How Does It Work?

Employees can take FMLA leave for the birth, adoption or foster placement of a child; to care for a family member with a serious illness; for treatment of a serious illness that prevents them from doing their job; and in specific situations where a family member is called to military duty.

Under FMLA, employees continue to receive the same health benefits while on leave as they did while



employed, and are typically able to go back to the same job they did before their leave, or a similar one, upon returning to work.

Who Is Responsible for What?

Effective communication between employers and employees is a vital part of a successful FMLA program. Whenever possible, employees should make sure they let their employer know as soon as they know they need to take leave.

Employers should make sure employees are aware of FMLA rules, and that they have access to information about their rights and responsibilities under the law. Employers cannot prevent employees from taking FMLA leave.

Keep in mind, these are just basic FMLA guidelines. For complete information about the definitions, exceptions, and limitations of FMLA, visit the [DOL's FMLA website](#).

For expert guidance on making the most of your benefits and creating a successful FMLA program at your company, contact USEBSG at info@usebsg.com.