

# The Basics of FMLA



FMLA stands for The Family and Medical Leave Act  
**It is a Federal Law**

## What is it for?

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement):
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies (urgent need or demand) related to the foreign deployment of a military member who is the employee's spouse, child, or parent.



# What does it do?

- ✓ Protects both the employee and the employer
- ✓ While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.
- ✓ Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.





## Who is eligible?

An employee who works for a covered employer must meet three points of criteria in order to be eligible for FMLA leave.

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; and
- Work at a location where the employer has at least 50 employees within 75 miles of the employer's worksite.
- Public (government) agencies and schools are subject to the FMLA regardless of the number of employees.





## How do you apply?

Generally, employees must give 30-days' advance notice of the need for FMLA leave.

If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and generally, follow the employer's usual procedures.

- Under some circumstances, employees may take FMLA leave on an intermittent or reduced schedule basis. That means an employee may take leave in separate blocks of time or by reducing the time he or she works each day or week for a single qualifying reason.
- The employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operations.





## What does this mean for us?



Call HR for:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for a spouse, child, or parent who has a qualifying serious health condition;
- For your own qualifying serious health condition that makes the you unable to perform your job;
- For qualifying exigencies related to the foreign deployment of a military member who is your spouse, child, or parent.

**CALL US! 603-610-4478**

**This law is here to protect eligible employees and their employers.**