

Who is eligible to receive FMLA leave?

An eligible employee is one who has been employed for at least 12 months (52 weeks, consecutive or nonconsecutive) in the past 7 years and who has worked a minimum total of 1,250 hours in the 12 months immediately preceding the time of leave. An employee can only be eligible if the employer employs 50 or more workers within a 75 mile radius of the worksite.

What does FMLA leave entail?

1. Those eligible for FMLA leave are entitled to twelve unpaid, job-protective weeks of leave in a 12-month period OR
2. Twenty-six workweeks of leave in a 12-month period to care for a spouse, son, daughter, parent, or next of kin who is a covered servicemember.

What is the Family Medical Leave Act?

In 1993, the Family Medical Leave Act (FMLA) was created to address the needs of employers and employees in times of medical crises. The purpose of the FMLA is to protect the jobs of employees who must take extended medical leave for their own serious medical conditions or to care for their family members.

For what reasons can an employee request FMLA leave?

An employee may take FMLA for the following reasons:

1. The birth of a child and to care for a newborn child within one year of birth.
2. The placement of a child for adoption or foster care with the employee and to take care of a newly placed child within one year of placement.
3. To care for an employee's family member (spouse, child, or parent) who has a serious health condition.
4. An employee's own serious health condition that makes the employee unable to perform his/her duties at work.
5. Any qualifying exigency because of an employee's spouse, child or parent who is a covered military member on covered active duty.
6. To care for an employee's spouse, child, parent or next of kin who is a covered servicemember with a serious injury or illness.
7. To care for an employee's spouse, child, parent or next of kin who is a covered veteran with a serious injury or illness.