

FAMILY AND MEDICAL LEAVE ACT (FMLA)

FACTSHEET

What does the Family and Medical Leave Act (FMLA) do?

If you are eligible, the Family and Medical Leave Act (FMLA) entitles you to 12 weeks of unpaid leave in a 12-month period for specified family and medical reasons. In many cases, you can take the 12 weeks of leave intermittently over the year—in blocks of time or by reducing your weekly or daily work schedule.

Am I eligible for FMLA benefits?

To be eligible you must:

- Work for a covered employer. Covered employers include all public agencies, and all private sector employers who have at least 50 employees for at least 20 workweeks per year and whose business is in commerce or any activity affecting commerce.
- Have worked for the employer for a total of at least 12 months.
- Have worked at least 1,250 hours over the previous 12 months.
- Work in the U.S. or a U.S. territory where the employer has at least 50 employees working within 75 miles.

What reasons entitle me to apply for FMLA leave?

Your employer must grant you FMLA leave for one or more of the following reasons:

- The birth and care of your newborn child;
- The placement of a child with you through adoption or foster care;
- To care for an immediate family member (spouse, child, or parent) with a serious health condition;
- To take medical leave when you are unable to work because of a serious health condition.

Will I keep my health insurance coverage while on FMLA leave?

If your employer provided insurance coverage before you took your leave, they must maintain it during your leave on the same terms as if you had continued to work. In some instances the employer may recover health coverage premiums if you don't return from FMLA leave.

Will I get my job back when I return from FMLA leave?

Your employer must restore you to your original job or an equivalent job with equivalent pay, benefits, and other terms and conditions of employment.

What kind of notice and certification am I required to give my employer ?

You must provide 30-day advance notice of your need to take FMLA leave when your need is foreseeable and notice is practicable. Your employer may also require you to provide: medical certification supporting your need for leave due to a serious health condition; second or third medical opinions (at employer's expense) and periodic recertification; and periodic reports during your leave regarding your status and intent to return to work.

Who should I contact for more information or if my employer refuses to comply?

You should contact your Union, SEIU Local 6 (800) 238-7348. You can also contact the Wage and Hour Division of the U.S. Department of Labor at (206) 553-4482.