

Overview of the Family and Medical Leave Act



Source: U.S. Department of Labor

The Family and Medical Leave Act (FMLA) was enacted in 1993 to help employees balance their work and family responsibilities by providing unpaid, job-protected leave for eligible employees for their own or a family member's serious health condition.

LEAVE ENTITLEMENT

Eligible employees may take up to 12 weeks of continuous or intermittent leave in a 12-month period.

COVERED EMPLOYERS

Covered employers must provide FMLA protections and benefits to eligible employees. The FMLA covers the following employers:



Employers with 50 or more employees in 20 or more workweeks in the current or preceding calendar year



Public agencies, including federal, state and local agencies, regardless of the number of employees they employ



Public or private elementary or secondary schools, regardless of the number of employees they employ

ELIGIBLE EMPLOYEES

To be eligible for FMLA leave, an employee must:



Be employed by a covered employer



Have worked for that employer for at least 12 months



Have at least 1,250 hours of service for that employer during the 12 months prior to the leave



Work at a location where the employer has at least 50 employees within a 75-mile radius

REASONS FOR LEAVE

An eligible employee may take leave for:



The birth of a child or placement of a newly adopted or fostered child



To care for an immediate family member with a serious health condition



Their own serious health condition that makes them unable to perform the essential functions of their job



A qualifying exigency due to an immediate family member who is a military member on or called to active duty

NOTICE

Employees generally must request FMLA leave 30 days in advance when the need for leave is foreseeable. When leave is unforeseeable, employees must provide notice as soon as possible.



JOB RESTORATION AND HEALTH BENEFITS



Upon return from FMLA leave, an employee must be restored to their original job or to an equivalent job with equivalent pay, benefits and other terms and conditions of employment. Employers are also required to continue an employee's group health insurance coverage while the employee is on FMLA leave.

MILITARY FAMILY LEAVE

The FMLA also affords unpaid, job-protected leave specific to the needs of military families.

Visit the U.S. Department of Labor's [website](#) for more information about FMLA leave.