

Family Medical Leave Act

FMLA - The Family and Medical Leave Act requires covered employers to provide eligible employees with up to twelve weeks of leave per year for certain family and medical situations, with restoration for the employee to the same or similar position upon return to work. A "covered employer" is one with 50 or more employees for each working day during each of twenty or more calendar workweeks in the current or preceding calendar year. An "eligible employee" is one who has worked for at least 1250 hours in the 12-month period prior to the date on which leave is to commence. Eligible employees may only take leave for certain qualifying reasons, such as: the employee's own serious health condition; the birth of the employee's child and subsequent care of the infant; the placement of a child with an employee for adoption or foster care; care for a spouse, child or parent who has a serious health condition. The FMLA also permits employees to take leave on a reduced schedule or intermittently.

The Department of Labor enforces the FMLA. Additionally, an employee may institute a civil action against an employer. An aggrieved employee may be awarded lost pay and benefits, reinstatement, liquidated damages and attorney fees.