

The Key Rules of FMLA

You can take up to 12 workweeks of unpaid FMLA leave in each 12 month period for the following reasons:

- 1) your own serious illness
 - 2) to care for a seriously ill child, spouse, or parent
 - 3) for childbirth or to care for a newborn child up to age one
 - 4) for the placement of a child with you for adoption or foster care
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- Depending on your union contract or your employer's policy, you may be able to use personal, sick, or vacation time or it may be unpaid
 - You must have worked 1,250 hours in the 12 months before your absence
 - Your employer must have 50 or more workers within a 75 mile radius
 - Medical leave can be taken all at once, intermittently, or on a reduced schedule
 - For your own illness you must be sick for three days in a row that requires care from a health care provider
 - You must give your employer "proper and timely notice"
 - During your leave, group health plan benefits must be maintained as if you had continued to work
 - When you return, you must be restored to your former position or to an equivalent one with no loss to your seniority or benefits
 - You cannot be given any discipline or suffer any negative consequences for time taken under the FMLA

Am I Covered? Participant Worksheet

Read the following scenarios and answer the question posed in each. Each workplace meets the requirement for FMLA eligibility.

- 1) Elaine has worked full-time at S&S Manufacturing for two years. Her father has cancer and is not expected to live for more than two months. Is she covered to take time off to be with him at home?
- 2) Juan has a bad back. His doctor wants him to be able to come in to work late on days his back hurts, so that he can loosen it up at home. Under the FMLA, is this possible?
- 3) Sue finished high school last May and started a new job. She broke her leg in December. She needs to take two weeks off to get better. Is she covered?

