

Overview of FMLA

U.S. Department of Labor www.dol.gov/elaws

The Family and Medical Leave Act ([FMLA](#)) provides certain employees with up to 12 weeks of unpaid, job-protected leave per year. It also requires that group health benefits be maintained during the leave.

The FMLA is designed to help employees balance their work and family responsibilities by taking reasonable unpaid leave for certain family and medical reasons. It also seeks to accommodate the legitimate interests of employers, and promotes equal employment opportunity for men and women.

The Family & Medical Leave Act:

- Covers only certain employers;
- Affects only those employees eligible for the protections of the law;
- Involves entitlement to leave;
- Maintains health benefits during leave;
- Restores an employee's job after leave;
- Sets requirements for notice and certification of the need for leave;
- Protects employees who request or take leave; and
- Includes certain employer record keeping requirements.

Related Laws:

The Department of Labor has issued a [memorandum](#) that clarifies its position on the rights of returning service members to family and medical leave under the Uniformed Services Employment and Reemployment Rights Act (USERRA).

A number of states have also enacted family and medical leave laws, some of which provide greater amounts of leave and benefits than those provided by FMLA, and/or provide benefits to employees who are not eligible for FMLA leave. In those situations where an employee is covered by both Federal and state FMLA laws, the employee is entitled to the greater benefit or more generous rights provided under the different parts of each law. Some employees may also be entitled to protections provided by the [Americans with Disabilities Act \(ADA\)](#), which is administered by the [Equal Employment Opportunity Commission \(EEOC\)](#).