



Family & Medical Leave (FMLA) — Protecting Your Time Off

Who Is Covered / Scope

The **Family and Medical Leave Act (FMLA)** provides job-protected, unpaid leave for certain family and medical reasons.

- Applies to employers with **50+ employees** within 75 miles.
- Employees are eligible if they've worked for the employer at least **12 months** and logged **1,250 hours** in the past year.
- Covers public agencies (including schools), and many private schools if they meet size thresholds.

Core Rights

1. Up to **12 workweeks of unpaid, job-protected leave** in a 12-month period for:
 - Birth and care of a newborn.
 - Adoption or foster placement.
 - Caring for a spouse, child, or parent with a serious health condition.
 - Your own serious health condition.
 - Certain needs due to a family member's military service.
2. **26 workweeks** for caring for a covered servicemember with a serious injury/illness.
3. Health insurance must be maintained under the same terms during leave.
4. Right to return to the **same or equivalent job** after leave ends.



Things to Watch Out For / Caveats

- FMLA is **unpaid** unless you use accrued paid leave or your employer's policy allows otherwise.
- Some employees at small schools (<50 employees) may not be covered.
- You must give **30 days notice** if leave is foreseeable.
- Certification from a health provider may be required.

Steps You Can Take

- Confirm employer size/eligibility with HR.
- Provide timely notice in writing, citing FMLA.
- Submit medical certification promptly if required.
- Document all communications with HR.

Resources / Where to Get Help

- DOL FMLA Info Center: dol.gov/whd/fmla
- FMLA Fact Sheets: dol.gov/whd/fmla/employee-guide

FAQ

Q: Can my employer refuse my return?

A: No, unless you're in the small category of "key employees" (e.g., top 10% highest paid). Even then, strict rules apply.

Q: Can I take leave intermittently?

A: Yes, if medically necessary.