

Family and Medical Leave Act (FMLA)

Tonight was my first night back in the studio after returning home from military duty and I think we picked a great topic to discuss. Joining me to talk about the Family and Medical Leave Act (FMLA), including the new regulations that employers and employees need to know, was Mathew Tully, employment law attorney at Tully Rinckey PLLC.

For those of you unfamiliar with FMLA, the Act requires employers to give 12 weeks of unpaid leave to employees who are seriously sick, have a chronic condition, or who are pregnant or adopting a child. It also covers employees who must take leave to care for sick family members. However, this can't be just any member of your extended family, it only applies to next of kin, which includes a spouse, son or daughter, sibling or parent.

Tully explained that there are certain requirements that must be met in order to utilize FMLA: the employer must have 50 or more employees and the employee must have worked there for one year or have worked a total of 1250 hours in a year. Employees also must give at least 30 days notice if possible and supply the required notifications from doctors.

New regulations, which will need to be implemented by January 26th

, 2009, affect military servicemembers, who are now allowed 26 weeks unpaid sick leave in order to care for family members who are injured during active duty. The new regulations also cover periods of short deployment, giving family members the chance to make the proper arrangements before leaving.

I know how important this Act and the new regulations are, especially with the number of returning servicemembers coming home from serving our country. If you have questions about your rights under FMLA or would like to speak to an experienced attorney, call Tully Rinckey at 518-218-7100.