



Family and Medical Leave Act of 1993

Categories : [Children and Families](#), [Disability Related Services](#), [Income Assistance](#)

The Family and Medical Leave Act of 1993 (FMLA) entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave in a 12-month period for any of the following reasons:

- for the birth and care of a newborn child of the employee, within one year;
- for the adoption or foster placement of a child with the employee, within one year;
- to care for a family member (spouse, child, or parent) with a serious health condition; or
- for a serious health condition which leaves the employee unable to work;
- for any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or is called to covered active duty status.

An eligible employee may also take up to 26 weeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness, when the employee is the spouse, son, daughter, parent, or next of kin of the service member.

EMPLOYERS

FMLA applies to all public agencies, including state, local and federal employers, local education agencies (schools), and private-sector employers who employ 50 or more employees in 20 or more weeks.

EMPLOYEES

To be eligible for FMLA benefits, an employee must:

- work for a covered employer;
- have worked for the employer for a total of 12 months;
- have worked at least 1,250 hours over the previous 12 months (12 months does not need to be consecutive); and
- work at a location where at least 50 employees are employed by the employer within 75 miles.

ENFORCEMENT

The Wage and Hour Division investigates complaints. If violations cannot be satisfactorily resolved, the U.S. Department of Labor may bring action in court to compel compliance. Individuals may also be able to bring a private civil action against an employer for violations.

FURTHER INFORMATION

For further information see the U.S. Department of Labor's overview of the FMLA at <http://www.dol.gov/whd/fmla/index.htm>, and an FMLA fact sheet at <http://www.dol.gov/whd/regs/compliance/whdfs28.pdf>.

SOURCE: U.S. Department of Labor



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CONTENT LAST REVIEWED: July2021