Protections for workers under

The FAMILY and MEDICAL LEAVE ACT (FMLA)

U. S. DEPARTMENT OF LABOR
Wage and Hour Division

1-866-4US-WAGE
WWW.DOL.GOV/WHD

UNLAWFUL ACTS

It is unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise, any right provided by the FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to the FMLA.

The Wage and Hour Division is responsible for administering and enforcing the FMLA for most employees. If you believe that your rights under the FMLA have been violated, you may file a complaint with the Wage and Hour Division or file a private lawsuit against your employer in court.

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The FMLA entitles an eligible employee of a covered employer to take unpaid, job-protected leave, with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. When the employee returns to work from FMLA leave, the employer must restore the employee to the same job or a similar job with virtually identical pay, benefits, and other conditions of employment.

Eligible employees of covered employers may take:

- Twelve workweeks of leave in a 12-month period for:
  - childbirth and to care for and bond with the newborn within one year of the child's birth;
  - adoption or foster care placement of a child and to care for and bond with the child within one year of the placement;
  - to care for the employee's spouse, son, daughter, or parent who has a serious health condition;
  - the employee's own serious health condition that makes him or her unable to work; and
  - any "qualifying exigency" arising out of the deployment to a foreign country of the employee's spouse, son, daughter, or parent who is in the Regular Armed Forces or National Guard or Reserves; and
- Twenty-six workweeks of leave in a single 12-month period to care for certain current servicemembers or veterans with a qualifying serious injury or illness incurred or aggravated in the line of duty on active duty. The employee must be the spouse, son, daughter, parent, or next of kin of the servicemember or veteran.