

Family and Medical Leave Act

Frequently asked questions

If you need to take time off to attend to your own or a loved one's health, the last thing you want to worry about is whether you'll still have your job when you're ready to return to work. That's why the Family and Medical Leave Act (FMLA) is important. Here are key FMLA facts you need to know:

How does FMLA work?

FMLA allows you to take unpaid, job-protected time off to:

- Care of your own or a family member's serious health condition
- Bond with a newborn, adopted, or foster child
- Care for an injured or ill covered service member
- Manage qualifying exigencies that may arise when your spouse, child, parent, or next of kin is called to active military duty

How do I know if I'm eligible?

To be eligible for FMLA leave, you must:

- Have worked for your employer for at least 1,250 hours in the 12 months prior to the leave,
- Have worked a total of 12 months (not necessarily consecutive) for that employer, and
- Be in a location with at least 50 employees within 75 miles of each other

Companies are required to offer FMLA if they're:

- A private employer with 50 or more employees, or
- A public agency, or
- A public or private elementary or secondary school

Will I be paid while on FMLA leave?

FMLA offers unpaid job protection for a qualifying leave.

If your FMLA leave is due to your own serious health condition, you may be eligible for pay under your short-term disability policy. Additionally, if you've accrued paid time off, you may use that time concurrently with your FMLA in order to receive payment. State-paid leaves may also run concurrently with FMLA, if they're for a qualifying leave reason.



What are the benefits of FMLA?

FMLA provides 12 weeks of unpaid leave within a 12-month period, which may be taken as medically necessary on a continuous, reduced schedule, or an intermittent basis. However, your bonding leave may have restrictions to how it can be taken. You should check with your HR department for your company's policies. The program also allows up to 26 weeks of leave to care for an injured or ill service member within a 12-month period. The service member must be your spouse, child, parent, or next of kin.

Once an employee returns to work after FMLA leave, they must be reinstated to the same job or an equivalent position, one that's virtually identical to the original position in terms of pay, benefits, and working conditions.

Who's considered a family member under FMLA?

An eligible family member under FMLA includes your spouse, parent, or child (including adoptive and foster child). In order to care for a covered service member, you must be the spouse, son, daughter, parent, or next of kin of the covered service member.

When should I file for an FMLA leave?

You must provide your employer with at least 30 days' notice of the need to take FMLA leave if the qualifying event is expected. For unforeseen events, you should inform your employer as soon as possible and in compliance with your company's absence procedures.

What documentation is required for FMLA?

An employer can request a completed certification of health provider form that includes information about the existence of a serious health condition and the need for leave associated with that health condition.

How do I submit a claim for FMLA leave?

Your company's FMLA program is administered by Lincoln. You can submit a claim through phone once you've provided appropriate notice to your employer:

- By phone: If you prefer to speak to a representative, Lincoln's claims specialists can be reached at 866-783-2255.

You'll be asked to answer basic questions about yourself and your absence when submitting a claim.

Please note: This is an optional-use document which supplements but does not take the place of the Department of Labor (DOL) FMLA poster. Providing this document to your employees does not satisfy the DOL General Notice posting requirement (29 CFR § 825.300(a)).

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