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Practice Areas

Labor, Employment and
Employee Benefits
Immigration
Commercial Contracts - Domestic
and International
International Law

Ask The Expert - Mass High Tech

Is it true that the Family and Medical Leave Act was amended recently and covered employers need to update their policies to include these changes?

Monday, March 31, 2008

Yes, in January 2008 President Bush signed in to law a bill amending the FMLA to grant leave to employees who have a service member as part of their family. This is not FMLA leave and requires an amendment to your policy. The amendment should include: Family Member Leave: 12 weeks of FMLA leave due to a spouse, son, daughter or parent being on active duty or having been notified of an impending call or order to active duty in the Armed Forces. Leave may be used for any "qualifying exigency" arising out of the service member's current tour of active duty or because the service member is notified of an impending call to duty in support of a contingency operation; and Caregiver Leave: 26 weeks of FMLA leave during a single 12-month period for a spouse, son, daughter, parent, or nearest blood relative caring for a recovering service member, meaning someone who suffered an injury or illness while on active-duty. FMLA policies should be updated to reflect these changes.

Additional information for this attorney
may be found on our website.

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