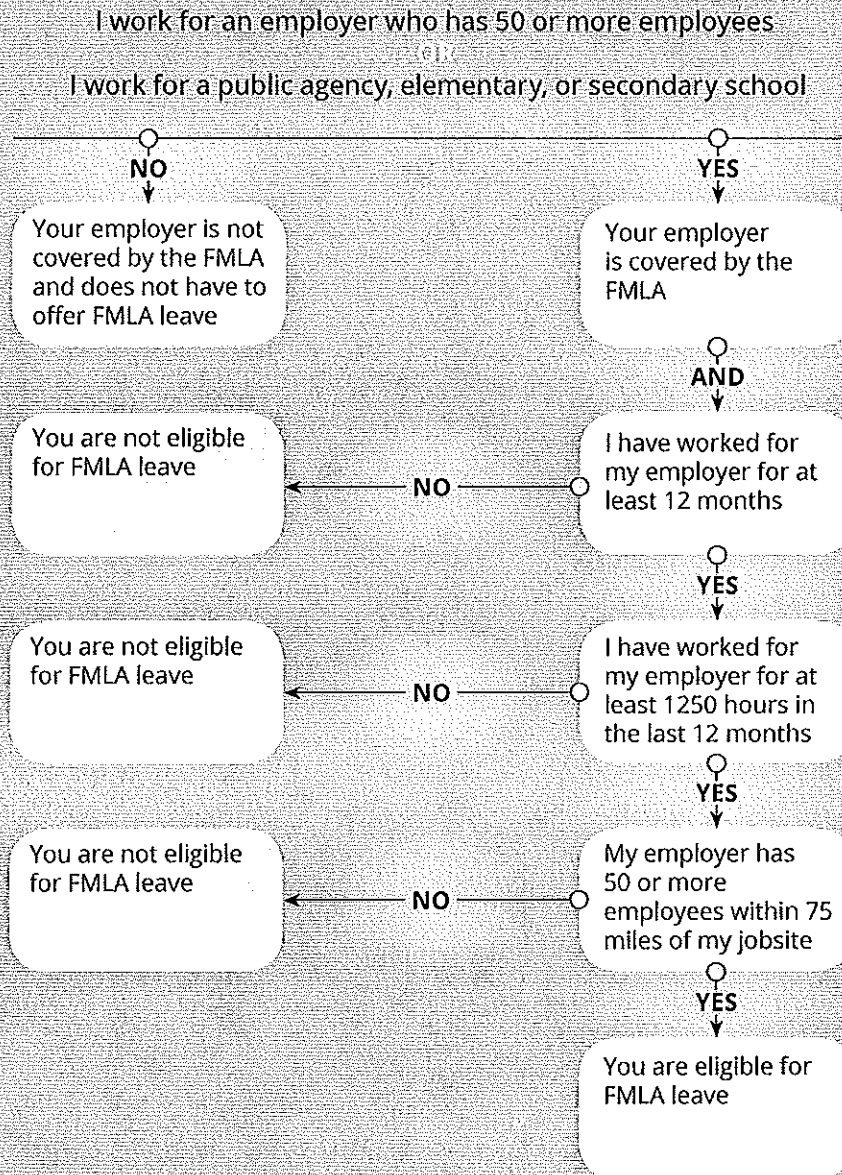


# Am I Eligible for FMLA Leave?



The FMLA entitles eligible employees of covered employers to take job-protected, unpaid leave for specified family and medical reasons. Eligible employees are entitled to:

- Twelve workweeks of leave in any 12-month period for:
  - Birth and care of the employee's child, within one year of birth
  - Placement with the employee of a child for adoption or foster care, within one year of the placement
  - Care of an immediate family member (spouse, child, parent) who has a serious health condition
  - For the employee's own serious health condition that makes the employee unable to perform the essential functions of his or her job
  - Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or has been notified of an impending call or order to active duty in the U.S. National Guard or Reserves in support of a contingency operation
- Twenty-six workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the servicemember (Military Caregiver Leave)

If an employee was receiving group health benefits when leave began, an employer must maintain them at the same level and in the same manner during periods of FMLA leave as if the employee had continued to work. An employee may elect (or the employer may require) the substitution of any accrued paid leave (vacation, sick, personal, etc.) for periods of unpaid FMLA leave. Substitution means the accrued paid leave runs concurrently with the FMLA leave period.

## **Employee Rights**

The FMLA provides that eligible employees of covered employers have a right to take job-protected leave for qualifying events without interference or restraint from their employers. An eligible employee has the right to have group health insurance maintained during a period of FMLA leave under the same terms and conditions as if the employee had not taken leave and has the right to be restored to the same or an equivalent position at the end of the FMLA leave.