



Family Medical Leave Act

(Federal)

- Covered employer:** All public agencies
- Covered employee:**
- 1) Work for a covered employer;
 - 2) Have worked for the employer for a total of 12 months;
 - 3) Have worked at least 1,250 hours over the previous 12 months; and
 - 4) Work at a location where at least 50 employees are employed by the employer within 75 miles.
- Leave Entitlement:** A covered employer must grant an eligible employee up to a total of 12 workweeks of unpaid leave during any 12-month period for one or more of the following reasons:
- 1) The birth and care of the newborn child of the employee;
 - 2) Placement with the employee of a son or daughter for adoption or foster care;
 - 3) Care of an immediate family member (spouse, child, or parent) with a serious health condition; or
 - 4) Medical leave when the employee is unable to work because of a serious health condition.
- Job Restoration:** Upon return from FMLA leave, an employee must be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment.
- Notice and Certification:**
- Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable.
 - Covered employers must post a notice explaining rights and responsibilities under FMLA.
 - Covered employers must inform employees of their rights and responsibilities under FMLA, including giving specific written information on what is required of the employee and what might happen in certain circumstances, such as if the employee fails to return to work after FMLA leave.
- Enforcement:** The Michigan Department of Labor and Economic Growth, Wage and Hour Division Investigates complaints. If violations cannot be satisfactorily resolved, court action may be brought to compel compliance. Individuals may also bring a private civil action against an employer for violations.
- Resources:**
- Michigan Department of Labor and Economic Growth, Department of Wage and Hour website: http://www.michigan.gov/cis/0,1607,7-154-27673_27688---,00.html
- U.S. Department of Labor website: <http://www.dol.gov/esa/whd/fmla>
- Michigan Townships Association website: http://www.michigantownships.org/downloads/new_federal_and_state_workplace_posters_packet_october_2006.pdf