



Kizano FMLA Policy

Family Medical Leave Act

The FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to:

- Twelve workweeks of leave in a 12-month period for:
 - the birth of a child and to care for the newborn child within one year of birth
 - the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement
 - to care for the employee's spouse, child, or parent who has a serious health condition
 - a 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 a covered military member on "covered active duty"

OR

- 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 eligible employee is the servicemember's spouse, son, daughter, parent, or next of kin (military caregiver leave).

Eligibility

In order to be eligible to take leave under the FMLA, an employee must:

- work for a covered employer
- work at a location where the employer has 50 or more employees within 75 miles; and
- have worked for the employer for 12 months:
 - The 12 months of employment are not required to be consecutive in order for the employee to qualify for FMLA leave. In general, only employment within seven years is counted unless the break in service is (1) due to an employee's fulfillment of military obligations, or (2) governed by a collective bargaining agreement or other written agreement.
 - have worked 1,250 hours during the 12 months prior to the start of leave

Qualifying Conditions

A covered employer must grant an eligible employee up to a total of 12 workweeks of unpaid, job-protected leave in a 12-month period for one or more of the following reasons:

- for the birth of a son or daughter, and to bond with the newborn child
- for the placement with the employee of a child for adoption or foster care, and to bond with that child
- to care for an immediate family member (spouse, child, or parent – but not a parent “in-law”) with a serious health condition
- to take medical leave when the employee is unable to work because of a serious health condition; or
- for qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter, or parent is on covered active duty or call to covered active duty status as a member of the National Guard, Reserves, or Regular Armed Forces.

The FMLA also allows eligible employees to take up to 26 workweeks of unpaid, job-protected leave in a “single 12-month period” to care for a covered servicemember with a serious injury or illness.

Accessing FMLA

- To take FMLA leave, you must provide your employer with appropriate notice. If you know in advance that you will need FMLA leave (for example, if you are planning to have surgery or you are pregnant), you must give your employer at least 30 days advance notice. If you learn of your need for leave less than 30 days in advance, you must give your employer notice as soon as you can (generally either the day you learn of the need or the next workday). When you need FMLA leave unexpectedly (for example, if a family member is injured in an accident), you **MUST** inform your employer as soon as you can. You must follow your employer’s usual notice or call-in procedures unless you are unable to do so (for example, if you are receiving emergency medical care).

FMLA FAQ

<https://www.dol.gov/agencies/whd/fmla/faq#3>

FMLA FACT SHEETS

<https://www.dol.gov/agencies/whd/fmla/factsheets>