

FML – Updated Military Regulations

Eligible employees are entitled to FML due to any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter or parent is a covered military member on active duty or has been called to active duty.

- “Qualifying exigency” includes leave to:
 - address issues that may arise from short notice deployment when notice is 7 or less calendar days prior to deployment (leave is limited to 7 days)
 - attend military sponsored ceremonies related to active duty, and leave to attend informational and family programs sponsored by the military, military service organizations and the Red Cross.
 - arrange changes in childcare
 - provide childcare on an urgent, immediate need basis
 - enroll or transfer to a new school or day facility because of active duty
 - attend meetings with school officials when such meetings are necessary due to circumstances arising from active duty
 - make or update financial or legal arrangements to address covered military member’s absence and to act as the covered military member’s representative
 - attend counseling provided by someone other than a health care provider for the employee, military member, or child as need for counseling arises from the active duty or call to active duty
 - spend time with a covered military member on short term rest and recuperation leave (5-day leave limit for each instance)
 - attend post-deployment events (limited 90 days) covered by the military members active duty status and to address issues that arise from the death of a covered military member while on active duty
 - any other events agreed upon by employer and employee
- Leave for qualifying exigency may be taken on an intermittent or reduced schedule **without** the approval of the employer.

Eligible employees are entitled to FML to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent or next of kin of the service member.

Eligible employees entitled to 26 workweeks of leave during a 12 month period to care for service member with a serious injury or illness

- any unused portion not used in 12 month period is forfeited
- leave must be designated by employer as leave for covered service member
- husband and wife working for same employer limited to combined total of 26 weeks
- 26 weeks per covered service member per injury