

# ALL ABOUT ABSENCE: FAMILY AND MEDICAL LEAVE ACT



## DID YOU KNOW?

- FMLA covered employers include both private sector (who employ 50 or more employees) and public sector employers (regardless of the number of employees).<sup>1</sup>
- Most leaves are modest in length, with about 40% lasting two weeks or less, and more than three-quarters lasting eight weeks or less.<sup>2</sup>
- Many states have their own FML laws. Employees can benefit from, and employers must comply with, all the laws that apply to the leave reason.<sup>1</sup>
- There are special FML rules for some workers; like teachers and flight crews.<sup>1</sup>
- Workers who have used up FML can still have rights under the ADA if they meet the ADA definition of a person with a disability. Workplace accommodation is one such right. Additional leave (beyond the worker's FML) could be an accommodation that must be provided under the ADA.<sup>3</sup>

The federal Family and Medical Leave Act (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons.

We were among the first carriers to recognize and respond to employers' growing need for absence management services. Our offerings cover everything from absence prevention consulting to core claim and leave management and an employee advocacy service that provides clinical support to link employees with appropriate health and wellness programs.

When thinking about FMLA in the workplace, here are some questions to consider when speaking with an employer:

- Do they have a consistent process for operationalizing FMLA administration?
- Can they coordinate administration of FMLA, Americans with Disabilities Act (ADA), short-term disability (STD), workers' compensation (WC), state leave and company leave policies?
- Can they coordinate administration of leave with payroll and people management systems?
- Do they provide HR and managers with FMLA training and are they prepared for how to administer intermittent FMLA?
- Does the company understand the leaves their competitors are offering and best practices in a changing FMLA landscape?

For more absence resources, visit [TheHartford.com](https://www.TheHartford.com)



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<sup>1</sup> The Family and Medical Leave Act. U.S. Department of Labor: [Fact Sheet #28: The Family and Medical Leave Act](#). Viewed on 8/15/23.

<sup>2</sup> National Partnership: [Key Facts: The Family and Medical Leave Act](#). Viewed on 8/15/23.

<sup>3</sup> ADA National Network: [Work-Leave, the ADA, and the FMLA](#). Viewed on 11/26/23.