

Automation Alley Newsletter

November 2009

FMLA Amended to Expand Coverage

On October 28, 2009 President Obama signed the Fiscal Year 2010 National Defense Authorization Act ("Act") which expands the coverage for the Family and Medical Leave Act, as it relates to military families, in two important respects, both of which are effective immediately.

First, the Act extends exigency leave benefits to include family members of active duty service members, not just reservists. Prior to the Act's passage, exigency leave was limited to family members of National Guard and reservists, but now it will be extended to active duty service members. Qualifying exigency leave includes, among other things: short-notice deployment, military events, child care and school activities, financial and legal arrangements, and post-deployment activities. Second, the Act expands caregiver leave to include veterans, not just active service members. Prior to the Act, caregiver leave only applied to active service members, but will now encompass medical treatment, recuperation, and therapy for veterans.

Both of these changes will impact employers' FMLA policies. Most importantly, both of these changes expand the FMLA's coverage. Because of these changes, more employees will be entitled to take FMLA leave. As such, employers should modify their FMLA practices and policies, in consultation with legal counsel, to ensure that they meet these new requirements in addressing requests for leave.

If you have any questions regarding the information contained in this E-news bulletin, please contact your Butzel Long attorney, a member of our Labor and Employment Practice Group, or the author of this issue:

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