

# HRC Alert

## Update Your FMLA Policies

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On January 28, 2008 President Bush signed into law a bill that amends the Family and Medical Leave Act to extend leave to families of service members. Outlined below are the highlights of the amendments:

1. Up to 6-months of leave for family members caring for military veterans injured while on active duty.
2. 12-weeks leave to family of service members called to active duty under certain circumstances.

It is wise to update your FMLA policies/procedures to ensure these amendments are reflected. HRC recommends making the following changes to policies/procedures:

1. Update the "leave entitlement" portion of your FMLA policy to note that eligible employees may now take a) leave for a "qualifying exigency", and b) leave to care for a family member injured while on active duty.
2. Update the "duration of leave" portion of your FMLA policy to note that eligible employees may take up to 6 months of leave to care for a family member injured while on active duty or up to 12 weeks leave for a "qualifying exigency".
3. A notation regarding any state law that may provide leave for family of service members should also be included.
4. Update notice forms to reflect the addition of leave to care for a family member injured while on active duty and leave for a qualifying exigency.

While the updates that you make now to your policies/procedures most likely will change in the future once we are given additional guidance from the final implementing regulations, it is a best practice to ensure that employees are notified of their rights regarding leave for qualifying military reasons.

As more information becomes available, HR Consultants, Inc. will issue an update on this issue.