



Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) is something many employees will utilize at some point in their careers, so it's important that you and your employees understand it. Test your knowledge with the questions below.

True/False

1. Employers must provide up to 12 weeks of unpaid leave for employees to care for family members in the service who are injured in the line of duty.
2. Some states have medical leave laws that are stricter than the federal FMLA laws.
3. You must allow an employee on FMLA to accrue vacation.
4. If a worker is absent from work for only part of the day, employers can count the whole day off for FMLA purposes.

Multiple Choice

5. What type of leave is covered under the FMLA? (Select all that apply.)
 - A. Birth or adoption of a child
 - B. Employee's serious health condition
 - C. A temporary case of the flu
 - D. Care for an injured military family member
6. A temporary employee is eligible for FMLA leave if:
 - A. The staff company has over 50 employees
 - B. They are never eligible
 - C. The client has 50+ employees, and the temporary worker has worked for them for 1,250 hours and a minimum of 12 months
 - D. They are automatically eligible
7. Under the FMLA, how many employees does an employer have to have before they are covered?
 - A. 25 within a 50 mile radius
 - B. 50 within a 25 mile radius
 - C. 50 within a 75 mile radius
 - D. 75 within a 50 mile radius



Family and Medical Leave Act

1. Employers must provide up to 12 weeks of unpaid leave for employees to care for family members in the service who are injured in the line of duty.

False: Employers must provide up to 26 weeks of unpaid leave.

2. Some states have medical leave laws that are stricter than the federal FMLA laws.

True: Some states have enacted their own leave laws. These state laws may apply to employers who aren't covered by the FMLA or place additional obligations on employers. In this instance, if the state law provides more stringent provisions than the federal law, the state law prevails.

3. You must allow an employee on FMLA to accrue vacation.

False: An employee taking leave under FMLA may, but is not entitled to, accrue vacation time. Employers are not under any obligation to allow employees on FMLA to accrue vacation time during the leave.

4. If a worker is absent from work for only part of the day, employers can count the whole day off for FMLA purposes.

False: In an employee is taking intermittent or reduced leave under the FMLA, only the amount of leave actually taken may be counted toward the 12 or 26 weeks of FMLA.

5. What type of leave is covered under the FMLA? (Select all that apply.)

- A. Birth or adoption of a child
- B. Employee's serious health condition
- C. A temporary case of the flu
- D. Care for an injured military family member

A, B, and D: Reasons for leave under the FMLA include the birth of a child, placement of a child for adoption or foster care, caring for immediate family members with a serious health condition, responding to a qualified family demand created by a service member being called to active duty, and caring for service members who have become sick or injured in the line of duty.



Family and Medical Leave Act

6. A temporary employee is eligible for FMLA leave if:
- A. The client company has over 50 employees
 - B. They are never eligible
 - C. The client has 50+ employees, and the temporary worker has worked for them for 1,250 hours and a minimum of 12 months
 - D. They are automatically eligible

C: Temporary workers are eligible for FMLA leave if the client has 50+ employees and the temporary worker has worked for the client for 1,250 hours and a minimum of 12 months. The staffing company is normally responsible for obtaining the leave request form and any other administrative duties, and the client company is responsible for providing job protection. There may be an exception if the temporary assignment will end prior to the employee returning to work, though this should be established before the request for leave.

7. Under the FMLA, how many employees does an employer have to have before they are covered?
- A. 25 within a 50-mile radius
 - B. 50 within a 25-mile radius
 - C. 50 within a 75-mile radius
 - D. 75 within a 50-mile radius

C: Businesses are subject to the FMLA guidelines if they are engaged in commerce and have 50 or more employees within a 75-mile radius for at least 20 work weeks in the current or preceding calendar year.