

## PROPOSED CHANGES TO EXPAND COVERAGE FOR MILITARY FMLA



The U.S. Department of Labor (DOL) recently announced proposed changes to military FMLA (Family and Medical Leave Act). The DOL issued a notice of proposed rulemaking that would expand family leave for those in the military, as well as instigate a special eligibility provision for airline flight crew employees. The FMLA, signed into law in 1993, offers protection for employees taking leave for reasons related to family and medical. It allows such employees to remain covered under a group health plan during an absence from work. Twelve workweeks in a 12-month period are allotted for a birth or newborn child, placement of an employee with a child for adoption or foster and care for said child within one year, care for an immediate family with a health condition, the employee's own care, and any exigency (urgent need) with relation to an active military family member. Twenty-six workweeks within 12 months are covered to allow an employee to care for a servicemember who's ailing or injured. The proposed changes would permit an employee to take leave during or following an immediate family member's deployment for matters related to the person's service (e.g., military briefings, financial or legal arrangements). The 26-workweek option would be extended to care for family members who are veterans with an illness or injury that occurred in the line of duty, including conditions that have arisen only after the veteran had left the service. The amount of time to spend with a family member while on rest or recuperation would likewise be extended, from five and up to 15 days. The FMLA coverage, which currently only covers the National Guard for qualification



of exigency leave, would also extend to family members serving in the armed forces.

The proposed revision for airline flight crew employees would add a special hours of service eligibility requirement and specific alterations for calculating the amount of FMLA leave. The hours that crew members work are difficult to track, and the proposed changes are intended as a more accurate and simpler way in which to take the hours into account. "Keeping the basic promise of America alive means ensuring that workers, from our servicemen and servicewomen who keep us safe at home to the flight crews who keep us safe in the skies, have the resources, support and opportunities they need and have rightfully earned," said Secretary of Labor Hilda L. Solis in a press release. "The proposed revisions... are an important step toward keeping that promise." Secretary Solis discussed the amendments at Joining Forces for Caregivers, an event held Monday, January 30th, in Washington, D.C. Also speaking were First Lady Michelle Obama and RyAnne Noss, wife and caregiver of an Army Ranger injured in Afghanistan. In reference to the DOL's proposed FMLA changes, the First Lady stated that "these new rules will make a real difference for our military families in so many ways, and remember, these protections are simply a few of the many steps this administration has already taken on behalf of our caregivers."