


<b>SUBJECT</b> <b>FAMILY AND MEDICAL</b> <b>LEAVE ACT (FMLA)</b>	<b>POLICY NUMBER</b> <b>5.22</b>	
<b>POLICY MAINTENANCE ADMINISTRATOR:</b> Chief, Bureau of Personnel Services		
<b>PURPOSE/SCOPE:</b> The Family and Medical Leave Act (FMLA) is intended to allow members to balance the demands of their work and family life by taking a reasonable amount of unpaid, job-protected leave for certain medical conditions. FMLA is also available to members of military families under specific situations.		

**I. AUTHORITY**

The Family and Medical Leave Act, Public Law 103-3, 107 Stat. 6 (29 U.S.C. 2601 et seq)

Section 110.219, Florida Statutes, Attendance and Leave; General Policies

Chapter 60L-34, Florida Administrative Code, Attendance and Leave

Federal Fair Labor Standards Act FLSA

**II. RELATED POLICIES**

- MP 5.01, Attendance and Leave
- MP 5.15, Sick Leave Pool
- MP 5.16, Sick Leave Transfer Plan

**III. POLICY**

The Department administers the Federal Family and Medical Leave Act (FMLA) through its Office of Benefits & Member Services. The Department works with all eligible members to ensure that they claim their FMLA rights and ensures that members on FMLA have no adverse employment action taken based on their use of FMLA leave.

It is the policy of the Department to designate all qualifying time as FMLA leave and to count that time towards an eligible member’s annual entitlement.

<b>Executive Director</b> SIGNED ORIGINAL ON FILE	<b>Effective Date</b> 04/14/2010
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STATE OF FLORIDA  
Department of Highway Safety and Motor Vehicles

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While FMLA leave is unpaid, it may become paid leave, if the member has earned or accrued leave, so long as the leave is used in accordance with department Policy 5.01, Attendance and Leave.

#### **IV. PROCEDURES**

A procedures manual entitled “Guide to the Family & Medical Leave Act (FMLA)” is linked here and is also available at the Benefits & Member Services webpage.