Family Medical Leave Act (FMLA)

If you are requesting a leave under FMLA ...

Step 1: Do you qualify for a leave under FMLA?

Have you worked 1,250 hours during the 12-month period preceding the first full day of your requested leave?

Not sure, call 718-430-2547.

Step 2: Why do you need to take a leave?

- Is the leave for your own serious health condition (including pregnancy)?
  - If you are eligible for FMLA, your leave would qualify for FMLA. You can request up to 12 weeks of unpaid leave.
  - Your leave would qualify under FMLA and may also qualify under PFL. PFL and FMLA leaves will run concurrently. Please review the PFL chart.

- Is the leave for bonding time following birth, adoption or foster care placement?
  - Your leave would qualify under FMLA and may also qualify under PFL. PFL and FMLA leaves will run concurrently. Please review the PFL chart.

- Is the leave due to the serious health condition of your: spouse, parent, child or step child?
  - Your leave would qualify under FMLA, and you can request up to 12 or 26 weeks of unpaid leave (depending on the reason for the leave). Your leave may also qualify for PFL. PFL and FMLA leaves will run concurrently. Please review the PFL chart.

- Is the leave for a qualifying exigency while your spouse, son, daughter or parent is on or called to active duty status? Or is the leave to care for a covered service member with a serious health condition?
  - Your leave would qualify under FMLA, and you can request up to 12 or 26 weeks of unpaid leave (depending on the reason for the leave). Your leave may also qualify for PFL. PFL and FMLA leaves will run concurrently. Please review the PFL chart.

- Is the leave due to the serious health condition of your: domestic partner, parent-in-law, grandparent, grandchild, son or daughter of your domestic partner?
  - Your leave would NOT qualify under FMLA, but if you are eligible for PFL, your leave will qualify under PFL. Please review PFL chart.

Any requests for FMLA and supporting documentation should be returned to the Benefits Office for processing. If your leave also qualifies under PFL, the Benefits Department will designate your leave as PFL chargeable. PFL and FMLA leaves will run concurrently. FMLA is an unpaid leave, however you may substitute paid leave in the form of your accrued sick time (for your own illness) or up to 40 hours of your accrued sick time under the New York Earned Sick Time Act (for a family member), or accrued vacation if requested.

For information on the substitution of Paid leave during FMLA for your own serious health condition, please see chart.

This information is provided as a general guide only and shall not alter or supersede Einstein's FMLA and PFL policies.