



U.S. Department of Labor Employment Standards Administration

Wage and Hour Division (WHD)

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To promote and achieve compliance with labor standards to protect and enhance the welfare of the nation's workforce.

Revised Final Regulations Under the Family and Medical Leave Act (RIN 1215-AB35)

Welcome to the Department of Labor's Wage and Hour Division (WHD) Website on the revisions to the Family and Medical Leave Act (FMLA) Regulations.

The revised [Final Regulations \(PDF\)](#) respond to over 4,600 public comments received in response to the Department's February 2008 [Notice of Proposed Rulemaking \(NPRM\) \(PDF\)](#), which proposed changes to the current FMLA regulations. The NPRM was developed in response to several U.S. Supreme Court and lower court cases invalidating portions of the current regulations, the passage of amendments to the FMLA included as Section 585(a) of the [National Defense Authorization Act for Fiscal Year 2008 \(Public Law 110-181\)](#), and a comprehensive review of the Department's fifteen years of experience administering the FMLA, including two previous Department of Labor studies of the FMLA (in 1996 and 2001) and over 15,000 public comments received in response to a [Request for Information \(RFI\) \(PDF\)](#) published in the Federal Register on December 1, 2006, and summarized in the Department's June 2007 [Report on the RFI \(PDF\)](#).

The [Final Regulations \(PDF\)](#) implement two important new military family leave entitlements for eligible specified family members:

- (1) Up to 12 weeks of leave for certain qualifying exigencies arising out of a covered military member's active duty status, or notification of an impending call or order to active duty status, in support of a contingency operation, and
- (2) Up to 26 weeks of leave in a single 12-month period to care for a covered servicemember recovering from a serious injury or illness incurred in the line of duty on active duty. Eligible employees are entitled to a combined total of up to 26 weeks of all types of FMLA leave during the single 12-month period.

The [Final Regulations \(PDF\)](#) **became effective on January 16, 2009.**

Additional information on the Final Regulations:

- [Final Regulations \(PDF\) \(HTML\)](#)
- [Press Release](#)
- [Fact Sheet on the Final Regulations \(PDF\)](#)
- [Fact Sheet #28 \(Non-Military\) \(PDF\)](#)
- [Fact Sheet #28A \(Military\) \(PDF\)](#)
- [Revised FMLA Poster \(PDF\)](#)

- [Revised FMLA Poster - Spanish](#)
- [New and Revised Forms](#)
 - [WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition \(PDF\)](#)
 - [WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition \(PDF\)](#)
 - [WH-381 Notice of Eligibility and Rights & Responsibilities \(PDF\)](#)
 - [WH-382 Designation Notice \(PDF\)](#)
 - [WH-384 Certification of Qualifying Exigency For Military Family Leave \(PDF\)](#)
 - [WH-385 Certification for Serious Injury or Illness of Covered Servicemember -- for Military Family Leave \(PDF\)](#)
- [Military FAQs \(PDF\)](#)
- [Non-Military FAQs \(PDF\)](#)

Additional information on the military family leave amendments to the FMLA:

- [FMLA and the National Defense Authorization Act for FY 2008](#)
- [Title I of the Family and Medical Leave Act, as amended by the National Defense Authorization Act for FY 2008](#)

Additional information on the FMLA:

- [Notice of Proposed Rulemaking \(NPRM\) Website](#)
- [Assistant Secretary Lipnic's Testimony before the Senate Subcommittee on Children and Families, Committee on Health, Education, Labor, and Pensions \(PDF\)](#)
- [Report on the Request for Information Website](#)
- [FMLA Compliance Assistance Information from the Wage and Hour Division](#)
- [The Family and Medical Leave Act](#)

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