

## The Family and Medical Leave Act (FMLA)

This notice is provided to assist you in understanding and using your FMLA benefits.

**Entitlement:** NASA employees are entitled to up to 12 weeks of unpaid leave during any 12-month period under the Family and Medical Leave Act if they meet eligibility and reason-for-leave requirements. An employee may substitute annual leave and/or sick leave, consistent with current laws and regulations, for any portion of the unpaid FMLA benefits. (The amount of sick leave that may be used to care for a family member is limited.) In some instances, FMLA benefits may be used intermittently.

Most employees are protected by FMLA unless they are in their first 12 months as a Federal employee, are on a temporary appointment with a time limitation of 1 year or less, and/or are an intermittent employee.

FMLA benefits can be requested for the following purposes with the appropriate supporting documentation:

- the birth of a son or daughter of the employee and the care of such son or daughter;
- the placement of a son or daughter with the employee for adoption or foster care;
- the care of spouse, son, daughter, or parent of the employee who has a serious health condition; or
- a serious health condition of the employee that makes the employee unable to perform the essential functions of his or her position.

The Memorandum outlining the definition of a son or daughter can be found by going to: <http://www.chcoc.gov/transmittals>. From the **Archive** drop-down menu, choose the **2010** option, then scroll down and select the **CPM 2010-15** Reference ID. FMLA provides additional flexibilities for families of military service members. These flexibilities can be found in **CPM 2010-06**.

**Job Benefits and Protection:** An employee must be returned to the same position or to an “equivalent position with equivalent benefits, pay, status, and other terms and conditions of employment” after use of FMLA benefits. If on Leave Without Pay (LWOP) status while using FMLA benefits, an employee is entitled to maintain his/her health care coverage, but the employee must pay his/her share of the premiums.

**Advance Notice Requirements and Medical Certification:** Notice of an employee’s intent to use FMLA benefits must be given no less than 30 days before the leave is to begin or as soon as possible in the event of an emergency. Medical certification may be required from an employee for the use of FMLA benefits in the case of a serious health condition. Periodic reports of an employee’s status and intent to return to work may be requested. Medical information provided is protected and subject to the confidentiality provisions of the Privacy Act.

### Related Links:

- NPR 3600.1A, Attendance and Leave: [http://nodis3.gsfc.nasa.gov/main\\_lib.html](http://nodis3.gsfc.nasa.gov/main_lib.html). Click the **3000-3999, Human Resources and Personnel** link. Then click the **NPR 3600.1A** link.
- Office of Personnel Management (OPM) FMLA Web site: <http://www.opm.gov/oca/leave>.

Any questions concerning this notice, contact:

**NSSC Customer Contact Center**  
1-877-677-2123 (1-877-NSSC123) or [nssc-contactcenter@nasa.gov](mailto:nssc-contactcenter@nasa.gov)

