



# Law of the Workplace



## SPECIAL UPDATE

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### **NEW FMLA REGULATIONS EFFECTIVE JANUARY 2009**

The Federal Department of Labor released new Family and Medical Leave Act ("FMLA") regulations on November 17, 2008, which take effect January 16, 2009. Employers with 50 or more employees must comply with all 762 pages of the comments and regulations as of the effective date.

The new regulations provide guidance for employers and employees regarding many FMLA issues. Specifically, the new regulations:

- Explain when employers must grant leave for family members of military personnel;
- Define the new qualified exigency leave for members of the military;
- Confirm that employees must follow their employers' company policies when providing notification for time-off;
- Permit employers to require fitness-for-duty evaluations of employees returning from FMLA leave who could endanger themselves or others in their job position;
- Detail stricter frequency of doctor's visits; and
- Simplify employers' ability to obtain medical certifications.

You can find an electronic copy of the new FMLA regulations at: [http://www.federalregister.gov/OFRUpload/OFRData/2008-26577\\_PI.pdf](http://www.federalregister.gov/OFRUpload/OFRData/2008-26577_PI.pdf).

Questions regarding the new FMLA regulations, compliance with the FMLA or employer policies regarding the FMLA may be directed to the attorneys at Siegel, O'Connor, O'Donnell & Beck, P.C. at 860-727-8900 or by visiting [www.siegeloconnor.com](http://www.siegeloconnor.com).

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*This material is intended to provide you with information regarding a noteworthy legal development. It should not be regarded as a substitute for legal advice concerning specific situations in your operation. If you have any questions or would like additional information on this topic, please contact our Firm at (860) 727-8900 or [www.siegeloconnor.com](http://www.siegeloconnor.com).*

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