

MEMORANDUM

TO: All Employees

FROM: [Human Resources](#)

RE: Family and Medical Leave for military situations

DATE: [XXXXX](#)

Effective immediately, leave under the Family and Medical Leave Act will be available in [two](#) types of situations that were not previously covered, both of which involve service in the Armed Forces, Reservists, or National Guard. The law about these types of leave is very unclear now, and we are awaiting further guidance from the government. In the meantime, if you believe that you are entitled to leave in one of these situations, please contact [XXX](#) in Human Resources. Until further guidance is received, requests for these types of leave will be dealt with on a case-by-case basis.

1) Serious injury or illness of service member. If you are the spouse, parent, or child of, or “next of kin” to, a member of the military who is injured or becomes ill while serving in the military, you may be entitled to take 26 weeks of FMLA leave in a single 12-month period to care for that service member. To be considered “serious,” the injury or illness must have the potential to render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating.

The rights and responsibilities set forth in our [Family and Medical Leave policy](#) (p. _____ in our [Employee Handbook](#)) will normally apply to this type of leave. In other words, you will normally be required to comply with the FMLA requirements regarding notice, medical certification, and the like.

2) “Qualifying exigency.” If you or your spouse, parent, or child are on or are called to active duty in support of a contingency operation and have affairs that must be handled as a result, you may be entitled to FMLA leave for such a purpose. The government is developing guidance regarding exactly what type of activity is covered, but in the meantime if you have a need that you think may qualify, please let us know.

We will update this memo as we learn more about these new types of leave.