

PUBLICATION

U.S. Department Of Labor Issues Revised FMLA Regulations

November 18, 2008

Buckle up everyone! As we all prepare for the upcoming and rapidly approaching changes to the Americans with Disabilities Act, even more employment-related changes are coming to your workplace. Yesterday, the U.S. Department of Labor issued its long-awaited revisions to the regulations implementing the Family and Medical Leave Act of 1993 (FMLA). These revisions represent the first changes to the FMLA's regulations since the original regulations went into effect on April 6, 1995, and the revised regulations become effective **January 16, 2009** - that's right, less than two months away!

The revised regulations include, among other things, regulations addressing the new military family leave entitlements under the FMLA enacted as part of the National Defense Authorization Act as well as the following new and/or revised FMLA forms: Certification of Health Care Provider for Employee's Serious Health Condition, Form WH-380-E; Certification of Health Care Provider for Family Member's Serious Health Condition, Form WH-380-F; Notice to Employees Of Rights Under FMLA, WH Publication 1420; Notice of Eligibility and Rights & Responsibilities, Form WH-381; Designation Notice to Employee of FMLA Leave, Form WH-382; Certification of Qualifying Exigency for Military Family Leave, Form WH-384; and Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave, Form WH-385.

Baker Donelson is planning a number of informative seminars about the new regulations, and we are preparing additional written materials on the new regulations that will be distributed via our website in the very near future.