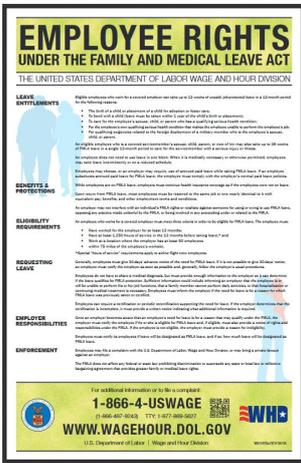


Why You Can (and Should) Ignore the New FMLA Poster

Your breakroom bulletin board is probably covered, in part, with lots of government-mandated posters that give your workers creative ways to sue your organization. If your workplace has more than 50 employees, one of those posters must explain employees' rights to take job-protected leave covered by the Family and Medical Leave Act (FMLA).

Most employers use a model poster from the U.S. Department of Labor to satisfy this posting requirement. This week, the DOL published [a new version of that poster](#).



The big question: If you already have an FMLA poster on your wall, must you display this new version in its place? The answer is no, you don't have to post this new version as long as you are currently displaying a legal FMLA poster. (The DOL poster was most recently updated in 2013).

The new 2016 model contains basically the same information as the 2013 poster, but the new version is organized in a more reader-friendly format. This version also adds more color to the poster. Plus, it highlights the DOL's contact information to file a complaint.

Our take: Don't rush to tack this new version onto your "Here's How to Sue Us" wall. The DOL has stated that, "The February 2013 version of the FMLA poster is still good and can be used to fulfill the posting requirement."

Those new DOL "improvements" to the poster are only intended to draw more employee eyeballs. And the added contact information on the poster simply make it even easier for employees to file FMLA complaints against your company. That's not something you need.

On the other hand, there is something else you may want to download from the DOL's website. At the same time it issued the new poster, the DOL published an updated version of its ***Employer's Guide to The FMLA***. It's a 75-page downloadable book that helps new and experienced HR professionals navigate the complex law. It includes lots of flow charts and case studies that help illustrate the problems you may encounter when handling FMLA requests.

Print a copy of this new Employer's Guide for your files, but leave your old FMLA poster on the wall.

FMLA Compliance: Online Resources

U.S. Department of Labor Forms For Employers: FMLA CERTIFICATION

- [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 \(PDF\)](#)
- [WH-385-V Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave \(PDF\)](#)

FACT SHEETS

- [Fact Sheet # 28: The Family and Medical Leave Act of 1993 \(PDF\)](#)
 - [Spanish](#)
- [Fact Sheet #28A: Employee Protections under the Family and Medical Leave Act \(PDF\)](#)
 - [Spanish](#)
- [Fact Sheet # 28B: FMLA leave for birth, bonding, or to care for a child with a serious health condition on the basis of an "in loco parentis" relationship \(PDF\)](#)
 - [Spanish](#)
- [Fact Sheet # 28C: FMLA leave to care for a parent with a serious health condition on the basis of an "in loco parentis" relationship \(PDF\)](#)
 - [Spanish](#)
- [Fact Sheet # 28D: Employer Notification Requirements under the Family and Medical Leave Act \(FMLA\) \(PDF\)](#)
- [Fact Sheet # 28E: Employee Notice Requirements under the Family and Medical Leave Act \(PDF\)](#)
- [Fact Sheet # 28F: Qualifying Reasons for Leave under the Family and Medical Leave Act \(PDF\)](#)
- [Fact Sheet # 28G: Certification of a Serious Health Condition under the Family and Medical Leave Act \(PDF\)](#)
- [Fact Sheet # 28H: 12-month period under the Family and Medical Leave Act \(FMLA\) \(PDF\)](#)