



Mineral



Question of the Week

September 11, 2024

Question

Does taking FMLA intermittently affect an employee's full-time status or eligibility for health benefits?

ANSWER

No. The Family and Medical Leave Act (FMLA) is clear on this point. You must maintain the employee's coverage under any group health plan with the same conditions as if the employee had not taken leave and been continuously working full time during the entire leave period.

The specific coverage should also be maintained, both in terms of who is covered under the plan (e.g., employee, employee and spouse, employee and family) and what the coverage includes (e.g., medical, dental, vision).

This Q&A does not constitute legal advice and does not address state or local law.