



Mineral



Question of the Week

August 20, 2025

Question

We have an employee out due to a work-related injury. Do we still need to send them Family and Medical Leave Act (FMLA) paperwork if they're already on workers' compensation?

ANSWER

It depends. The FMLA and workers' compensation serve different purposes. The FMLA provides unpaid job-protected leave, while workers' compensation provides medical coverage and wage replacement when an employee is out due to a workplace injury.

If the injury qualifies as a serious health condition under the FMLA, you're a covered employer, and the employee is eligible for FMLA leave, you should provide them with FMLA paperwork—even if they're receiving workers' compensation.

You should also review any applicable state or local laws that may offer additional protections or requirements.

Watch our [short video](#) to learn more about FMLA paperwork.

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