

Work leave: Understanding the FMLA and ADA

Learn the two policies – **Family and Medical Leave Act (FMLA)** and the **Americans with Disabilities Act (ADA)** – that can protect you when going to work isn't possible because of your chronic condition.



Special thanks to PatientsLikeMe member Hetlana Johnson (The Lupus Liar) for her collaboration. Visit www.thelupusliar.com to learn more about Hetlana.

At a glance: What should I know?

Family and Medical Leave Act (FMLA):



Claim **12 weeks** of medical leave per year to care for a serious health condition.



“Stretch” out your time by **working reduced hours**.

Americans with Disabilities Act (ADA):



Provides **“right to accommodation”** – change in workplace policies, facilities, or how work is done.



Amount of work leave is determined on an **individual basis**.

When both laws apply:

If you've used up your FMLA leave, you may still have rights – and potentially more work leave – under the ADA, if you meet the definition of a person with disability.



Does FMLA apply to me?

- ✓ You work for a public or private organization with 50 or more employees.
- ✓ You've worked 1 year or 1,250 hours in the past 12 months of employment.

Does ADA apply to me?

- ✓ You work for an organization of 15 or more employees.
- ✓ You meet the definition of disability – “substantially limited in one or more major life activities due to a physical or mental impairment”.