



## HR Updates

by Insurance Marketing Center

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### **Parties Experienced with FMLA Encouraged to Submit Comments**

The U.S. Department of Labor (DOL) has issued a [Request for Information](#) (RFI) about federal Family and Medical Leave Act (FMLA) regulations. The agency has also revised its FMLA notice and certification [forms](#).

#### **The RFI**

The RFI, released July 16, 2020, invites interested parties to submit comments, information, and data on the effectiveness of the regulations. The DOL is especially interested in challenges employers and employees face when:

1. Applying the regulatory definition of a serious health condition;
2. FMLA leave is taken on an intermittent basis or on a reduced leave schedule;
3. Employees request leave or notify their employers of their need for leave; and
4. Complying with the medical certification process.

The deadline for submitting comments is Sept. 15, 2020.

## Revised FMLA Forms

The DOL has revised its FMLA notice and certification forms based on public feedback that was solicited in August 2019. In a July 16, 2020, [statement](#) announcing the changes, the DOL said the new forms are easier to understand and use, and include more questions that users can answer by checking a response box. The new forms also include electronic signature features to reduce contact.

The revised forms are [WH-381](#), [WH-382](#), [WH-380-E](#), [WH-380-F](#), [WH-384](#), [WH-385](#), and [WH-385-V](#). Earlier versions of the forms, including forms with expiration dates that have passed, may still be used. Employees who used the prior certification forms do not have to provide their employers with the same information using the revised forms.

The FMLA requires that certain information be provided by employers and employees. This information may be conveyed in any format, and the DOL forms are made available for that purpose but are not required.

### HR News Alerts provided by:

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