

To: Clients and Friends
From: Smith & Downey
Date: February 15, 2008
Re: FMLA Development

On January 28, 2008, President Bush signed the National Defense Authorization Act for FY 2008 (NDAA), which, among other things, amends FMLA to permit a "spouse, son, daughter, parent, or next of kin" to take up to 26 work weeks of FMLA leave to care for a "member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness." **This requirement is effective immediately.** It is important for employers to issue promptly an interim FMLA/NDAA policy advising employees of their basic rights and obligations under this new law, and to amend their FMLA procedures to reflect this development.

Please contact Doug Desmarais at d-desmarais@smithdowney.com or 410-321-9348 for assistance with your FMLA/NDAA policy, or to discuss any FMLA compliance questions.