

Law, ethics, and corporate governance ??? leg 500 assignment

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Law, Ethics, and Corporate Governance ??? LEG 500 Explain if it matters that a parent literally had nothing to do with a biological child in order for the child to take advantage of the Family and Medical Leave Act (FMLA) to care for that parent. Under the Family and medical Leave Act (FMLA), a child can take care of their biological parent. This is even true even if that parent literally had nothing to do with the child growing up.

The Family and Medical Leave Act (FMLA) provides an entitlement of up to 12 weeks of job-protected, unpaid leave during any 12-month period to eligible, covered employees for the following reasons: 1) birth and care of the eligible employee's child, or placement for adoption or foster care of a child with the employee; 2) care of an immediate family member (spouse, child, parent) who has a serious health condition; or 3) care of the employee's own serious health condition. It also requires that employee's group health benefits be maintained during the leave.

The FMLA is administered by the Employment Standards Administration's Wage and Hour Division within the U. S. Department of Labor ([www. dol. gov](http://www.dol.gov)). 2. Explain whether the size of the business can have any effect on whether Tony is eligible for family leave under the FMLA. The Family & Medical Leave Act (FMLA) applies to your company if you employ over 50 employees within 75 miles of the worksite, and at least 50 of your employees work 20 or more work-weeks in the current or preceding calendar year.

If your company is a public agency, you are subject to provide FMLA regardless of the number of employees employed. All schools, private or public, are considered public agencies. Due to these facts, Tony is eligible for

The Family & Medical Leave Act (FMLA) because in the video, it was mentioned that the small company he worked for had approximately 50 employees (eoc. gov). 3. Explain whether Herman can or cannot imply that if Tony takes a leave of absence under the FMLA, he may not have a job when he returns.

Tony is eligible to comply with The Family & Medical Leave Act (FMLA) because the company he works for has over 50 employees. As Tony was talking to Herman about leaving, Herman sternly implied that if Tony takes a leave of absence under the FMLA, he may not have a job when he returns. What Herman said was against the law and he could get in trouble for refusing to allow him to leave and take care of his biological father. Tony asked for 3 weeks and he is entitled to a total of 12 work weeks of leave during any 12-month period (www. ol. gov). 4. Describe who is covered by the Family and Medical Leave Act (FMLA) of 1993. As discussed previously, those who is covered by the Family and Medical Leave Act (FMLA) of 1993 are those that are employed by a covered employer and work at a worksite within 75 miles of which that employer employs at least 50 people; have worked at least 12 months (which do not have to be consecutive) for the employer; and have worked at least 1, 250 hours during the 12 months immediately before the date FMLA leave begins (eoc. gov). 5.

Explain the extent to which an employer can make his or her own determination as to the eligibility of an employee under the Family and Medical Leave Act. The extent to which an employer can make his or her own determination as to the eligibility of an employee under the Family and

Medical Leave Act is by a few things. The eligible employee must provide 30 day advance notice for foreseeable events. The employer is allowed to ask the employee to obtain a certification from a medical provider testifying to the need for the employee to take the leave for themselves or for the family member (www. ol. gov). Upon completion of the leave the employer is allowed to require the employee to obtain a certification of fitness to return to work when the leave was due to the employee's own health concerns. The employer can delay the start of FMLA for 30 days if the employee does not provide advance notice, and/or until the employee can provide certification from a medical provider (www. employer-employee. com) References
<http://www. dol. gov/compliance/laws/comp-fmla. htm> <http://www. employer-employee. com/fmla. html> www. eec. gov/policy/docs/fmlaada. html