



June 2008

HR BULLETIN

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- **FAMLA Leave to Families of Service Members**
- **Visit DEED for Job Applicants**
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FMLA Leave to Families of Service Members

The new Act "National Defense Authorization Act for Fiscal Year 2008", which was signed into law January 2008, provides for two new types of FMLA leave related to families of military service members. In addition to current FMLA leaves, eligible FMLA employees will be able to take leave as follows:

1. Leave for "Any Qualifying Exigency": The law adds a new qualifying event for an employee to take a 12-week FMLA leave when an employee's spouse, son, daughter, parent or next of kin is on or has been called to active duty in the Armed Forces in support of contingency operation." The Department of Labor will determine and issue final regulations defining "any qualifying exigency."
2. Care of Service member: The law also permits a "spouse, son, daughter, parent, or next of kin" to take up to 26 weeks of FMLA leave during a 12-month period to care for a member of the "Armed Services" including a member of the National Guard or Reserves, who is "undergoing medical treatment, recuperation, or therapy, is otherwise in an outpatient status, or is otherwise on temporary disability retired list, for a serious injury or illness." A "serious illness or injury" is defined as "an injury or illness incurred by the member in line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating."

Please note that this expansion of the FMLA has created a new category of employees eligible to take FMLA leave to care for an injured service member. "Next of kin," defined as "the nearest blood relative" of the injured service member is added to the eligible employees permitted to take leave.

Other things to remember regarding this expansion of the FMLA leave is that the leave may be used on an intermittent basis. During the single 12-month period for leave to care for a service member, an eligible employee is entitled to a combined total of 26 work weeks of unpaid leave for any combination of this caregiver leave and the exigency or other leave qualifying under the current FMLA regulations. The employee is entitled to up to 12-weeks for a combination of the exigency and other types of current leave under the FMLA.

For any questions regarding this new addition to FMLA or any questions regarding FMLA be sure to contact your attorney.

Visit DEED for Job Applicants

MinnesotaWorks is an effort of the Minnesota Department of Employment and Economic Development (DEED). DEED is responsible for administering various state and federal programs that provide workforce development services.

MinnesotaWorks is an internet-based self-service system where member employers and job seekers can find each other. Membership is encouraged because it allows full access to all the features of the system. There is no cost for membership.

Job seeker members can post up to five resumes to be searched by employers. Members can also search for job openings, contact employers by email, and even apply online.

Employer members can post job openings to be searched by job seekers. Employer members can search for job candidates and contact them by email.

For more information about the Minnesota Department of Employment and Economic Development, please visit www.deed.state.mn.us or call 651.259.7114.

To create an employer membership where you may search for applicants, please visit <http://mnworkforcecenter.org/jobopenings.htm>

IRS Increases Mileage Rates

The Internal Revenue Service today announced an increase in the optional standard mileage rates for the final six months of 2008. Taxpayers may use the optional standard rates to calculate the deductible costs of operating an automobile for business, charitable, medical or moving purposes. The rate will increase to 58.5 cents a mile for all business miles driven from July 1, 2008, through Dec. 31, 2008, the agency said in a news release.

In recognition of recent gasoline price increases, the IRS made this special adjustment for the final months of 2008. The IRS normally updates the mileage rates once a year in the fall for the next calendar year.

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