

Who Is Covered By the FMLA?

Eligible Employees

To be eligible for FMLA leave, an individual must be an employee of a covered employer who:

- Has been employed by that employer for at least 12 months;
- Has worked for that employer for at least 1,250 hours during the previous 12-month period; and
- Is employed at a worksite where 50 or more employees are employed by that employer within 75 miles of that worksite.

Covered Employers

The [Family and Medical Leave Act](#) (FMLA) applies to all private sector employers who employ **50 or more employees** for at least 20 workweeks (not necessarily consecutive workweeks) in the current or preceding calendar year, including joint employers and successors of covered employers. Part-time employees, like full-time employees, are considered to be employed each working day of the calendar week, as long as they are maintained on the payroll.

Normally, the legal entity which employs the employee is the employer under the FMLA. For example, a corporation is a single employer. If one corporation has an ownership interest in another corporation, the corporation having such interest is a separate employer unless it meets the ["joint employment" or "integrated employer" tests](#).

[Click here](#) for more information on eligible employees and covered employers.