



Employee and Worksite Perspectives of the FMLA

Employee Leave-Taking Patterns

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Qualifying Reasons for Taking Leave Under FMLA

The Family and Medical Leave Act (FMLA) guarantees eligible U.S. employees up to 12 workweeks of unpaid leave for qualifying reasons.

Qualifying FMLA reasons for leave include:

- An employee’s own *serious health condition* (“illness”);¹
- Caring for an immediate family member (spouse, parent, child) with a serious health condition;²
- Caring for or bonding with a new child (birth, adoption, foster placement) in the first year;¹ or
- Leave related to a family member’s service in the military.²

This brief uses data from the **2018 FMLA Employee Survey**, part of the fourth and most recent wave of a national longitudinal survey. The brief summarizes findings on employee leave-taking rates and characteristics of leaves taken. The survey asked about family and medical leave, both for qualifying FMLA reasons and for care of non-immediate family members with serious health conditions (which does not typically qualify). Other medical reasons that are not serious health conditions, such as a sick day for a cold, are not included.

Findings that are limited to “leaves for qualifying FMLA reasons” are explicitly noted; findings on reasons for leave use the broader survey family and medical leave definition. Statistics apply to leaves regardless of whether the employee was eligible for FMLA or the leave was FMLA-protected. Analysis for this brief combines all leave taken in a year for a single reason. Averages refer to the mean value.

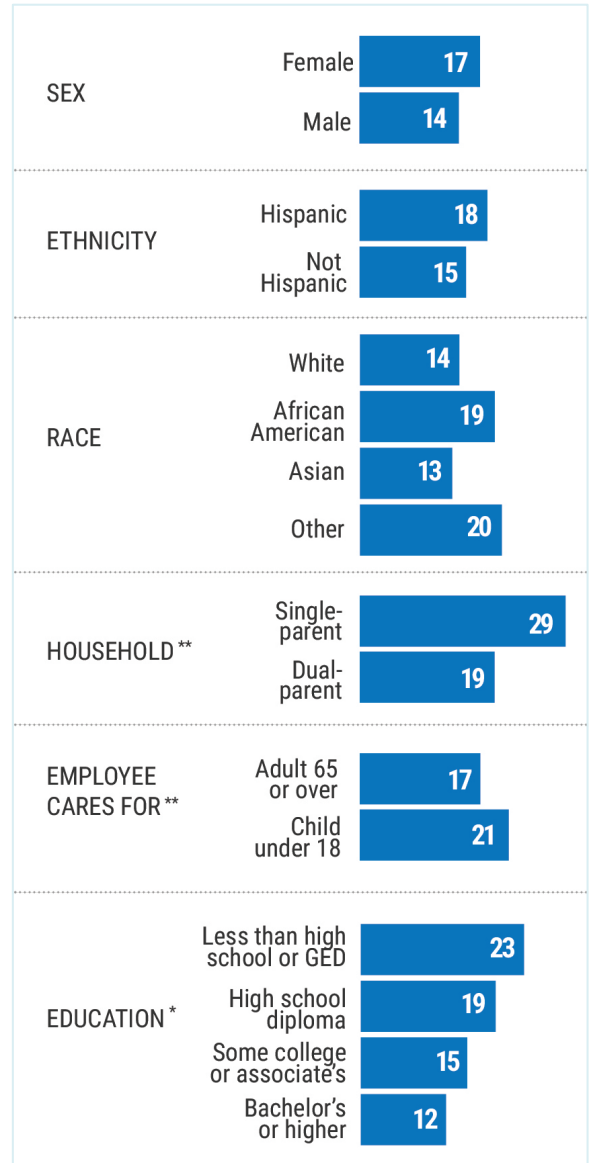
Rates of Leave-Taking for Qualifying FMLA Reasons

Overall, 15 percent of employees took leave for a qualifying FMLA reason in the past 12 months. This is not detectibly different from estimates in the last survey in 2012. There are no detectible differences by sex, ethnicity, or race (see Exhibit 1).

A higher share of employees in single-parent households (29%) take leave than do those in dual-parent households (19%). A higher share of employees caring for children (21%) take leave than do those caring for older adults (17%).

Employees with lower educational attainment take leave at a higher rate than those with higher educational attainment. Leave-taking rates are highest among employees with less than a high school diploma or who have a GED (23%) and lowest among employees with a bachelor’s degree or higher (12%).

Exhibit 1. Share of employees taking leave for qualifying FMLA reason in past 12 months, by demographics (%)



*** = differences statistically significant at 5%/1% level. For household, dual-parent household includes employees who are married or have a partner living in the home.

Reasons for Taking Leave and Length of Leave

More than half of leaves are for an employee’s own illness (51%); one-quarter are for a new child (25%). About 20 percent of leaves are to care for an immediate family member’s illness (adult or child). Employees also take leave to care for a non-immediate family member’s illness (not a qualifying FMLA reason), but this is not common (5% of leaves taken, see Exhibit 2). Rates are similar to those observed in 2012.

The average leave for a qualifying FMLA reason involves about six weeks away from work (28 business days), more than a week shorter than in 2012 (35 business days). The average length of leave varies by reason for the leave (see Exhibit 2):

- *Two to three weeks*—caring for a child’s illness; non-immediate family member’s illness (not a qualifying FMLA reason).
- *Four weeks*—caring for an adult’s (spouse or parent) illness.
- *Six to seven weeks*—own serious illness; a new child.

Continuous Versus Intermittent Leaves

A single leave for the same reason might be taken as a single time away from work (*continuous*) or over multiple occasions (*intermittent*) such as for multiple chemotherapy appointments. On average, employees who took leave intermittently were away from work seven separate occasions.

Intermittent leave is becoming more common. In 2012, intermittent leave accounted for 24 percent of leaves for qualifying FMLA reasons; by 2018, it had risen to 32 percent.

Intermittent leaves tend to be shorter overall. The average intermittent leave for a qualifying FMLA reason totaled four weeks away from work (21 business days, Exhibit 3).

Intermittent leave is more commonly taken for an employee’s own illness (47%) than for a new child (13%, Exhibit 3).

Notes

1. Defined in the survey as a health condition that (i) lasts more than three days and requires treatment of a healthcare provider, (ii) leads to an overnight stay in a hospital, (iii) is an ongoing condition for which the individual must see a healthcare provider at least twice per year, (iv) makes the individual permanently unable to work or perform other daily duties and requires continuing supervision of a healthcare provider, or (v) requires treatment to keep the individual from becoming incapacitated. Pregnancy is a serious health condition in FMLA regulations. The survey asked about pregnancy separately and is included under “new child” reason in this brief.

2. *In loco parentis* parent and child relationships also are included, though the survey did not specifically ask about them. Military caregiver leave also includes “next of kin” of a servicemember or covered veteran, who is the nearest blood relative, other than their spouse, parent, son, or daughter.

Exhibit 2. Reason for leave and average length of leave in past 12 months (in business days)

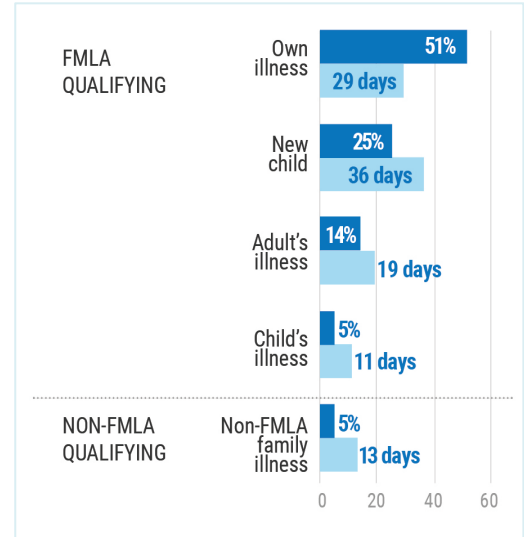
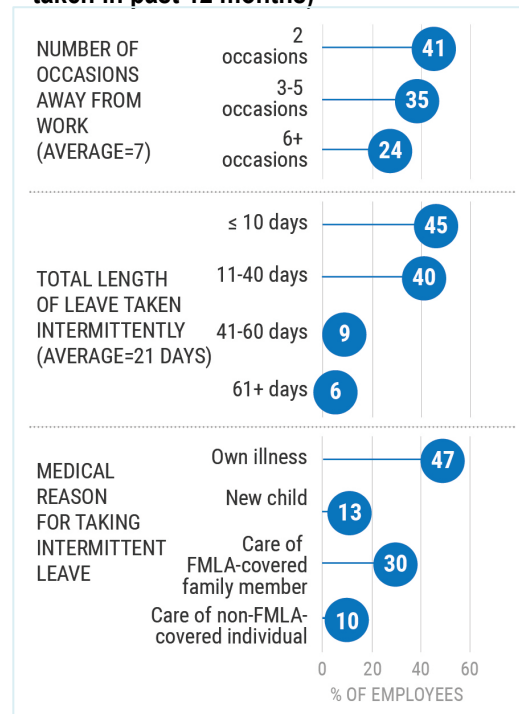


Exhibit 3. Intermittent leave occasions, length, and reasons (% of intermittent leaves taken in past 12 months)



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