

BENEFIT	FMLA	DC FMLA	DC Universal Leave	DC Sick and Safe Leave	Maryland FAMILI (Family and Medical Leave) EFFECTIVE 1/1/26	Maryland Sick and Safe Leave	Montgomery County Sick and Safe Leave	Maryland Parental Leave	Maryland Organ Donation	Maryland Flexible Leave
Employer Coverage	Employers with 50+ employees	Employers with 20+ employees	All employers with DC employees	All employers with D.C. employees	All employers with Maryland employees, unless employer has a state-approved alternative plan that provides at least the same benefits	All employers with employees whose primary work location is in Maryland	All employers with employees in Montgomery County	Employers with 15-49 employees	Employers with 15+ employees	All employers with 15+ employees
Employee Eligibility	Worked for the Company for 12 months (non-consecutive). Worked at least 1,250 hours during the 12-month period immediately preceding the date the leave is to begin, and Be employed at a worksite where 50 or more employees are employed by the Company within 75 miles of that worksite.	Worked for the Company for 12 months (non-consecutive) and Worked at least 1,000 hours during the 12-month period immediately preceding the date the leave is to begin	An employee of a covered employer who spends more than 50% of their work time for that employer working in the District of Columbia, or Whose employment for the covered employer is based in the District of Columbia and who regularly spends a substantial amount of their work time for that covered employer in the District of Columbia and not more than 50% of their work time for that covered employer in another jurisdiction.	Employees who spend more than 50% of their work time in DC For construction employees, these requirements may be expressly waived in clear and unambiguous terms in a collective bargaining agreement	Maryland employees who have worked 680 hours in Maryland in the prior 12 months for any employer	All employees whose primary work location is in Maryland, and who regularly work 22 or more hours per week For construction employees, these requirements may be expressly waived in clear and unambiguous terms in a collective bargaining agreement entered into after June 1, 2017	All employees who regularly work in the county more than 8 hours per week unless state law, there is no exemption for construction employees covered by a CBA	Worked for the Company for 12 months, Worked at least 1,250 hours during the 12-month period immediately preceding the date the leave is to begin, and Be employed at a worksite where 15 or more employees are employed by the Company within 75 miles of that worksite.	Worked for the Company for 12 months, and Worked at least 1,250 hours during the 12-month period immediately preceding the date the leave is to begin	All employees
Type and Amount of Leave	Leave is unpaid 12 weeks per 12-month period – for Basic FMLA leave and qualifying exigency leave. 26 weeks per 12-month period to care for military caregiver leave. May be taken in a block, on a reduced schedule, or intermittently, in increments of at least 1 hour	Leave is unpaid 12 to 16 weeks for employee's own serious health condition and up to 16 weeks of leave to care for a family member with a serious health condition or for the birth/adoption of a child within a 24-month period. Family member is anyone related by blood, legal custody, or marriage May be taken in a block, on a reduced schedule, or intermittently	Leave is paid by DC 3 weeks prenatal leave 32 weeks to bond with a new child 32 weeks to care for a family member with a serious health condition 32 weeks to care for an employee's own serious health condition May be taken intermittently, in increments of one day	Paid leave Employees with 100 or more employees – 1 hour for every 37 hours Worked up to 7 days per calendar year Employees with 25-99 employees – 1 hour for every 43 hours Worked up to 5 days per calendar year Employees with 24 or fewer employees – 1 hour for every 87 hours Worked up to 3 days per calendar year Employees accrue from day one, but may be prohibited from using it until after 90 days of service Can use existing paid leave (PTO, Vacation, etc.) to cover this requirement Unused sick and safe leave carries over at the end of the year and there is no limit on the amount of accrued sick and safe leave that may be used	Leave will be paid by Maryland 82 weeks per 12-month period for FMLA reasons + kinship care An additional 12 weeks for parental leave if 12 weeks is taken for the employee's own serious health condition	Those with 15+ employees must provide paid leave Those with fewer than 15 employees must provide unpaid leave 3 hour for every 30 hours Worked up to 40 hours per 12-month period Leave can be required to be used in 4-hour increments. Employees accrue from day one, but may be prohibited from using it until after 100 days of service Can use existing paid leave (PTO, Vacation, etc.) to cover this requirement If leave is granted as a block, there is no carryover. If leave is accrued, up to 40 hours of unused leave may be carried over at the end of the year, but use of leave is capped at 64 hours for the year.	Those with 5+ employees must provide paid leave Those with fewer than 5 employees must provide 32 hours of paid leave and 24 hours of unpaid leave 3 hour for every 30 hours Worked up to 56 hours per year (can be fiscal, anniversary, calendar, etc.) Employees accrue from day one, but may be prohibited from using it until after 90 days of service Leave can be required to be used in 4-hour increments. Can use existing paid leave (PTO, Vacation, etc.) to cover this requirement If leave is granted as a block, there is no carryover. If leave is accrued, up to 56 hours of unused leave may be carried over, but use of leave is capped at 80 hours for the year	Leave is unpaid 12 to 6 weeks during any 12-month period following the birth, adoption or foster placement of a child	Leave is unpaid 12 to 60 business days in any 12-month period for organ donation 12 to 30 business days in any 12-month period for bone marrow donation	Employees may use any existing paid leave that is accrued or granted based on performance of service (i.e. sick, vacation, PTO) for the reasons under this law
Reasons for Leave	Basic FMLA For incapacity due to pregnancy, prenatal medical care or childbirth. To care for the employee's child after birth or placement for adoption or foster care. To care for the employee's parent, spouse, or child who has a qualifying serious health condition. For a qualifying serious health condition that makes the employee unable to perform their job. Military FMLA To address certain "qualifying exigencies" in connection with deployment to a foreign country To care for a family member who is a current military servicemember or a veteran with a serious illness or injury sustained or aggravated in the line of duty	For incapacity due to pregnancy, prenatal medical care or childbirth. To care for the employee's child after birth or placement for adoption or foster care. To care for a family member who has a qualifying serious health condition. For employee's own qualifying serious health condition.	Prenatal care Bonding time following birth, adoption, foster placement, legal responsibility To care for a family member with a serious health condition Family member is child, parent and in-law, domestic partner or spouse, grandparent, and sibling. To care for the employee's own serious health condition	Illness, injury or medical condition of employee To obtain a professional medical diagnosis, care or preventative medical care of the employee or the employee's family member. Family member means spouse or domestic partner, partner or spouse, grandparent, and sibling. To obtain social or legal services if the employee or their family member is a victim of domestic violence	Same reasons as FMLA + kinship care Family member including child of any age, domestic partner, grandparent, grandchild and sibling	To care for or treat the employee's mental or physical illness, injury or condition; To obtain preventative medical care for the employee or the employee's family member; To care for a family member with a mental or physical illness, injury or condition; For maternity or paternity leave; or For an absence due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member including the following: - Medical attention - Services from a victims service organization - Legal services or proceedings - Relocation	To care for or treat the employee's mental or physical illness, injury or condition; To obtain preventative medical care for the employee or the employee's family member; To care for a family member with a mental or physical illness, injury or condition; For maternity or paternity leave; If the employer's place of business has closed by order of a public official due to a public health emergency; If the school or child care center for the employee's family member is closed by order of a public official due to a public health emergency; To care for a family member if a health official or health care provider has determined that the family member's presence in the community would jeopardize the health of others because of the family member's exposure to a communicable disease; or For an absence due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member including the following: - Medical attention - Services from a victims service organization - Legal services or proceedings - Relocation	Birth or placement for adoption/foster care	Organ or bone marrow donation	The illness of an immediate family member - Spouse, child (under 18 or disabled), parent Bereavement of an immediate family member (child may be of any age)
Other Benefits/Protections	Reinstatement to the same or equivalent position Health care coverage must continue. Other Leave - Can be required to use paid leave first, running concurrently with FMLA. - Runs concurrently with WC, STD, LTD, DC FMLA, DC Universal, MD FAMILI, DC/MD/Montgomery County sick and safe leave No discipline for proper use of leave No retaliation	Reinstatement to the same or equivalent position Health care coverage must continue. Other Leave - Employee may choose to use paid leave first, running concurrently with DC FMLA. Once paid leave is exhausted, remainder is unpaid. - Runs concurrently with WC, STD, LTD, FMLA, DC Universal+K8 No discipline for proper use of leave No retaliation	Reinstatement if the employer has 20 or more employees Other Leave - Be of other employer-provided paid leave will be determined by the employer's policies. - Cannot receive these benefits if employee is receiving WC, STD, or LTD - Runs concurrently with FMLA, DC FMLA No discipline for proper use of leave No retaliation	No discipline for proper use of leave No retaliation Other Leave - Runs concurrently with FMLA, DC FMLA No payout of leave upon termination	Reinstatement Health care coverage Other Leave - Employee cannot be required to use paid vacation, sick leave or other PTO before or while receiving FAMILI benefits - Employee can be required to coordinate FAMILI benefits with paid leave for parental care, family care, military leave, or under a disability policy - Runs concurrently with FMLA, MD Parental, MD organ donation No discipline for proper use of leave No retaliation	No discipline for proper use of leave No retaliation Other Leave - Runs concurrently with FMLA, Maryland Parental Leave, and Montgomery County Sick and Safe Leave - Can be used to fund Maryland Organ Donation - Can be used for bereavement of immediate family member - spouse, child, parent - Will not run concurrently with MD FAMILI - can agree to let employee use to bridge gap between FAMILI benefits and full pay No payout of leave upon termination	No discipline for proper use of leave No retaliation Other Leave - Runs concurrently with FMLA, Maryland Sick and Safe or Maryland Parental Leave - Can be used to fund Maryland Organ Donation - Can be used for bereavement of immediate family member - spouse, child, parent - Will not run concurrently with MD FAMILI - can agree to let employee use to bridge gap between FAMILI benefits and full pay No payout of leave upon termination	Reinstatement Health care coverage must continue. Other Leave - Can be required to use paid leave first, running concurrently with Maryland Parental Leave. Once paid leave is exhausted, remainder is unpaid. - Runs concurrently with STD, MD FAMILI No discipline for proper use of leave No retaliation	Reinstatement to the same or equivalent position Health care coverage must continue. Other Leave - Does not run concurrently with FMLA - May run concurrently with MD FAMILI, MD/Montgomery County sick and safe leave No discipline for proper use of leave No retaliation	Terms of applicable policy control the use of leave No retaliation
Employee Notice Requirements	For foreseeable leave, 30 days' notice For unforeseeable leave, as soon as practicable Employees can be required to follow normal call-out procedures Employees can also be required to report regularly on their status during their leave	Must provide reasonable notice of need for leave For unforeseeable leave, as soon as practicable For emergencies, within 48 hours	For foreseeable leave, at least 10 days or as early as possible For unforeseeable leave, prior to the work shift for which leave is being used For emergencies, within 48 hours	For foreseeable leave, at least 10 days or as early as possible For unforeseeable leave, prior to the work shift for which leave is being used For emergencies, within 48 hours	For foreseeable leave, 30 days' notice For unforeseeable leave, as soon as practicable Employees can be required to follow normal call-out procedures	For foreseeable leave, 30 days' notice For unforeseeable leave, as soon as practicable Employees can be required to follow normal call-out procedures	As soon as practicable Employees can be required to follow normal call-out procedures	Unless there is a premature birth or unexpected adoption/foster placement, 30 days' notice	None specified	None specified, but terms of applicable policy control the use of leave
Employer Notice Requirements	Mandatory FMLA poster https://www.dol.gov/agencies/whd/posters/fmla Handbook policy Biggity Notice and Notice of Rights/Responsibilities - Use DOL form https://www.dol.gov/agencies/whd/fmla/forms . Must be given within 5 business days of learning of need for FMLA leave. Designation Notice - Use DOL form https://www.dol.gov/agencies/whd/fmla/forms . Must be given within 5 business days of having enough information to determine if the leave is FMLA-qualifying.	Mandatory Poster https://ohr.dc.gov/sites/default/files/dc/sites/ohr/publication/attachments/DCFMLA_Poster_March2016.pdf	Mandatory poster: https://dcpaidfamilyleave.dc.gov/wp-content/uploads/2022/10/OPPL-Employee-Notice-2022.pdf Upon hiring Annually Each time the employee notifies the employer that they need leave for a qualifying event	Mandatory poster: https://does.dc.gov/sites/default/files/dc/sites/does/page_content/attachments/ASSLA%20Poster%20-%20English%20Spanish%20Comb%20-%20FINAL.pdf	Upon hiring Annually Each time the employee notifies the employer that they need leave for a qualifying event	Employers must provide notice to employees of their rights under the law. They may do so by a poster and/or a handbook policy. - MDDOL's model poster: https://www.dlir.state.md.us/paidleave/paidleaveposter.pdf - MIDOL's model policy: https://www.dlir.state.md.us/paidleave/paidleavemodel.shtm	Employers must provide notice to employees of their rights under the law. They may do so by a poster and/or a handbook policy and/or providing notice upon hire. - MDDOL's model poster: https://www.dlir.state.md.us/paidleave/paidleaveposter.pdf - MIDOL's model policy: https://www.dlir.state.md.us/paidleave/paidleaveposter.pdf	None specified	None specified	None specified
Verification/Certification	Certification from Health care provider may be required and would need to be returned in 15 days - Use DOL form https://www.dol.gov/agencies/whd/fmla/forms . Employer has right to require 2nd and 3rd certifications Employer may require reasonable recertification	Certification from Health care provider may be required. Employer has right to require 2nd and 3rd certifications Employer may require reasonable recertification	None for employer; state handles benefits	Employer may require reasonable certification for an absence of three or more days	None for employer; state handles benefits	An employer may require verification for (1) an absence of more than two consecutive scheduled shifts or (2) if the employee uses leave in the period between the first 107-120 days of employment if such verification was agreed to at the time of hire.	An employer may require verification for an absence of more than three consecutive scheduled shifts	None specified	Written physician verification that the employee is a donor and there is a medical necessity for the donation	None specified, but terms of applicable policy control the use of leave