

**INFORMATION:**

If your organization had fewer than 50 employees within 75 miles of the worksite for more than 20 weeks of the previous year and has had fewer than 50 employees within 75 miles of the worksite for more than 20 weeks of the current year, you may not need to offer FMLA to your employees. Because you are associated with a Professional Employer Organization you have the option to offer FMLA to your employees, but you are not required by law to do so.

**DEFINITION:**

An eligible employee is defined as:

1. An employee who has been employed by the company for 12 months / 52 weeks as of the date the leave commences.
2. During the preceding 12 months / 52 weeks, the employee must have worked a minimum of 1250 hours.
3. The employee must meet a specific leave requirement outlined by the FMLA regulations.

**Opt In**

I understand that by opting in, my company will offer up to 12 weeks of unpaid leave time to all employees that meet the FMLA leave eligibility requirements as defined in the policy guide and FMLA regulations.

I understand that by opting in, my company will be required to continue to pay the company portion of health and dental insurance (if an employee is a participant in the health or dental plan) as if the employee was working a regular schedule.

I understand that by opting in, my company is required to restore the employee to the employee's previous position, or a position similar in scope and pay, when the employee returns from FMLA leave.

**Opt Out**

My company has fewer than 50 employees within a 75-mile radius and I do not want to offer FMLA to any employees in my organization.

**DECISION:**

\_\_\_\_\_ I agree to Opt In and offer FMLA to all eligible employees.

\_\_\_\_\_ I agree to Opt Out and not offer FMLA to my employees.

**ACKNOWLEDGMENT:**

Client Company: \_\_\_\_\_

Principal/Owner Name: \_\_\_\_\_

Principal/Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_