



Leave Laws

Leave of absence statutes and case law continue to be a dynamic and evolving area of the law. From the Family and Medical Leave Act (FMLA), the Americans with Disabilities Act (ADA), and the Uniformed Services Employment and Reemployment Rights Act (USERRA) to California Labor Code section 233 and a host of other state and local paid sick leave laws, we lead employers through the leave law maze.

Employers face a confusing patchwork of federal, state and local statutes that may grant an employee a leave of absence for reasons of disability, health conditions of self or a family member, child adoption, pregnancy, or military service. We help public and private employers ensure compliance with the complex, sometimes overlapping, requirements and the workplace issues they raise.

Questions pertaining to leaves of absence, eligibility, limitations and a host of related issues arise daily. We counsel clients with respect to policy development, review and updating as well as help to address the one-off questions that need a quick - and correct - response.

We also counsel employers facing Equal Employment Opportunity Commission (EEOC) or California Department of Fair Employment and Housing (DFEH) investigations. Whether these organizations are examining potentially discriminatory leave practices or the failure to accommodate employees when leaves are warranted, we have the experience and practical advice to resolve situations, usually without going to court. When disputes over leave compliance lead to lawsuits, savvy employers turn to their trusted advisors at Nossaman.