



# Insights from the DOL and EEOC: Current FMLA and ADA Challenges

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Reliance Matrix

**March 26, 2024: 9:30-10:30 a.m.**





2024 COMPLIANCE  
DMEC CONFERENCE  
DALLAS, TX | MARCH 25-28, 2024

# Appendix – Resources



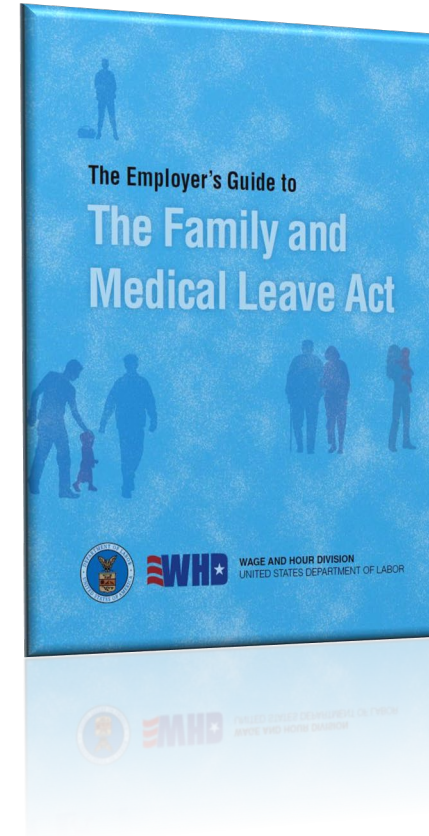
# DOL Resources

## DOL FMLA Home Page:

[Family and Medical Leave Act | U.S. Department of Labor \(dol.gov\)](https://www.dol.gov)

With Links to:

- General Guidance
  - Employer and Employee Guides
  - FMLA Military Leave Employee Guide
- Fact Sheets
- Forms
  - Optional use, updated forms for all certifications and required notices.
- Interpretive Guidance
- Laws and Regulations
- More
- [FMLA Compliance Assistance Toolkit | U.S. Department of Labor \(dol.gov\)](https://www.dol.gov)



## [The Employer's Guide to the FMLA](#)

A plain language roadmap to the FMLA with links to additional resources!





# DOL – FMLA: Updated Guidance



## Workers Impacted by Cancer

[Workplace Protections for Individuals Impacted by Cancer | U.S. Department of Labor \(dol.gov\)](#)

## Telework

[Field Assistance Bulletin 2023-1.pdf \(dol.gov\)](#)

## Family Caregiver Information

[Fact Sheet #28P: Taking Leave from Work When You or Your Family Member Has a Serious Health Condition under the FMLA | U.S. Department of Labor \(dol.gov\)](#)

## Recent Opinion Letters

[FMLA and Overtime 2023\\_02\\_09\\_01\\_FMLA.pdf \(dol.gov\)](#)

[FMLA and Holidays 2023\\_05\\_30\\_02\\_FMLA.pdf \(dol.gov\)](#)





# DOL – FMLA: Updated Guidance



## **Maternal Health**

[What to Expect from Your Employer When You're Expecting | U.S. Department of Labor \(dol.gov\)](#)

## **PUMP at Work**

[FLSA Protections to Pump at Work | U.S. Department of Labor \(dol.gov\)](#)

## **COVID-19 and more!**

[FAQs about Families First Coronavirus Response Act, Coronavirus Aid, Relief, and Economic Security Act, and Health Insurance Portability and Accountability Act Implementation Part 58 | U.S. Department of Labor \(dol.gov\)](#)

## **Mental Health Conditions and the FMLA**

[Mental Health and the FMLA | U.S. Department of Labor \(dol.gov\)](#)





# EEOC – Important Guidance



- **Visual Disabilities** [Visual Disabilities in the Workplace and the Americans with Disabilities Act | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)
- **Hearing Disabilities** [Hearing Disabilities in the Workplace and the Americans with Disabilities Act | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)
- **Reasonable Accommodations and Undue Hardship** [Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the ADA | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)
- **Leave as an ADA Accommodation** [Employer-Provided Leave and the Americans with Disabilities Act | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)
- **Medical Inquiries & Exams**
  - [Enforcement Guidance on Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act \(ADA\)](#)
  - [Enforcement Guidance: Preemployment Disability-Related Questions and Medical Examinations | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)
- **The Family and Medical Leave Act, the ADA, and Title VII of the Civil Rights Act of 1964** [The Family and Medical Leave Act, the ADA, and Title VII of the Civil Rights Act of 1964 | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)





# EEOC – Important Guidance



- **PWFA** [What You Should Know About the Pregnant Workers Fairness Act | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)
- **Caregivers** [Enforcement Guidance: Unlawful Disparate Treatment of Workers with Caregiving Responsibilities | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)
- **Enforcement Guidance on Workplace Harassment** [Federal Register :: Proposed Enforcement Guidance on Harassment in the Workplace](#)
- **Mental Health** [EEOC Enforcement Guidance on the Americans with Disabilities Act and Psychiatric Disabilities; Depression, PTSD, & Other Mental Health Conditions in the Workplace: Your Legal Rights](#)
- **Performance Standards** [Applying Performance and Conduct Standards to Employees with Disabilities | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)
- **COVID-19** [What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#) and [www.eoc.gov/coronavirus](http://www.eoc.gov/coronavirus)
- **Workers Compensation and the ADA** [EEOC Enforcement Guidance: Workers' Compensation and the ADA](#)





# MOU: EEOC + DOL



- **Partnership to Enhance Outreach**

[Memorandum of Understanding Between the U.S. Department of Labor, Wage and Hour Division and the U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)

[US Department of Labor, Equal Employment Opportunity Commission announce partnership agreement to enhance outreach, enforcement | U.S. Department of Labor \(dol.gov\)](#)

- **Employment Protections Under Rehabilitation Act**

[Employment Protections Under the Rehabilitation Act of 1973: 50 Years of Protecting Americans with Disabilities in the Workplace | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)







# Job Accommodation Network (JAN)

Home page: <https://askjan.org/>

Employer page, Job Accommodation Network  
[Information By Role \(askjan.org\)](https://askjan.org/)

Forms for ADA accommodation requests and support  
<https://askjan.org/topics/Sample-Forms.cfm>

Accommodation Search  
[Accommodation Search \(askjan.org\)](https://askjan.org/)

*“Have questions about workplace accommodations or the Americans with Disabilities Act (ADA)?*

*Ask us. We can help.”*

