

FMLA compliance checklist

Use this alongside the guide. Updated October 14, 2026.

- ☐ Confirm whether you meet the 50-employee coverage test
- ☐ Post the FMLA notice, including electronically for remote staff
- ☐ Include FMLA information in the handbook or new hire materials
- ☐ Choose and document a 12-month leave year method
- ☐ Train supervisors to send possible FMLA situations to HR the same day
- ☐ Send the eligibility notice within five business days
- ☐ Send the rights and responsibilities notice with it
- ☐ Give at least 15 calendar days to return certification
- ☐ Send the designation notice within five business days of having enough information
- ☐ Track intermittent leave in increments of one hour or less
- ☐ Exclude FMLA absences from attendance points and discipline
- ☐ Continue group health coverage and collect employee premiums
- ☐ Check state family leave and paid leave laws for each work state
- ☐ Consider ADA accommodation when FMLA leave ends
- ☐ Keep FMLA records for at least three years

Shopping for HR software?

Compare 20 platforms and request free quotes at www.hrtally.com/compare/