



Evaluating the Disparate Impact of FMLA

Summer Associate Project Exchange

Project Title

Evaluating the Disparate Impact of FMLA

Scope of Work

Timing

Jurisdiction

Federal

Contact Information

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Description

The federal FMLA provides important job protection for employees needing time off work for family care and medical reasons, but it excludes many workers, such as: workers working for smaller employers (less than 50 employees); short-term workers (less than a year); part-time workers (who work less than 1,250 hours in the past year). Other major limitations in the FMLA are that leave is not available to care for extended family (only to care for children, parents, and spouses), it is unpaid, and there are few permissible reasons for taking leave—generally just for caregiving purposes and serious illness (and pregnancy).

This project seeks to evaluate whether any of these exclusions in the facially neutral FMLA have a significant disparate racial or other discriminatory impact.

Subtasks (0)

