

# How The Family and Medical Leave Act (FMLA) Can Support Alcohol Addiction Treatment

Every day millions of Americans juggle various responsibilities as part of their demanding lives. At the end of a busy day, some decide to take a drink or two to help them unwind and relax. There's nothing wrong with this.

Unfortunately, problems arise for some people when they become addicted or dependent on alcohol to keep carrying out their basic functions. Even worse, some individuals end up carrying alcoholism to the workplace, creating problems for themselves, their coworkers, and their employers.

Alcoholism in the workplace can be a huge financial burden for companies in terms of absenteeism, loss in productivity and efficiency, employee health complications, and on the job injuries.

Perhaps you're one of those struggling with alcohol addiction and you would like to receive treatment to get and remain sober. There could be several fears holding you back. Maybe you don't want the stigma that comes along with going to rehab, maybe you're scared to lose your friends or go into withdrawal. If you're like hundreds of others also looking to quit alcohol addiction, you might also be worried that taking an extended absence from work to clean up [might mean losing your job](#).

The last one is a fear shared by several people across the country. The good news is that there are federal laws that protect your job should you decide to seek treatment for any form of addiction.

One of these is the [Family and Medical Leave Act \(FMLA\)](#). In this article, we'd like to shed some light on some of the most common questions our clients have about FMLA and how it can help them take time off work to kick their addictions.

## What is the FMLA?

The [FMLA](#) is was passed and signed into law in 1993. It gives employees up to 12 weeks of unpaid, job-protected leave during a 12-month period for certain qualifying reasons. This law makes it possible for many individuals to attend treatment for alcohol addiction without fear of losing their jobs. During your leave, you'll still have access to health insurance coverage and other medical benefits from your employer.

## When can I take leave under the FMLA?

You can claim unpaid leave under the FMLA for the following reasons:

- If you have had a child, the FMLA allows you to take leave to bond with the newborn within one year of their birth.
- If you have had an adopted or foster child placed into your care, you can claim leave to bond with the newly placed child within one year of their placement.
- If you have a serious health condition that hinders you from effectively carrying out the functions of your job.
- To care for a family member – i.e. your spouse, son, daughter, or parent- who has a serious health condition.
- In case of any situations that arise from the military deployment of your spouse, son, daughter or parent who is on covered active duty.

## Am I eligible for FMLA benefits?

You might have valid reasons for claiming FMLA leave but are you eligible?

You are covered by the FMLA if the following applies to you:

- You work for a covered employer.
- You have worked for the said employer for 12 months or more- not necessarily continuously or consecutively.
- You have done at least 1250 hours of work during the 12 months preceding the application of your medical leave.
- You work at a location in the United States or in any territory or possession of the U.S where at least 50 employees are employed by the employer within 75 miles.

## How do I know if the FMLA applies to my employer?

According to the US Department of Labor, the FMLA applies to all local education agencies (public or private elementary or secondary schools), all public agencies including local, state and federal employers and private sector employers who have 50 or more employees working 20 or more workweeks in the current or preceding calendar year.

## Is alcohol addiction considered a serious health condition?

Yes. Under the FMLA, alcoholism is considered a serious health condition, making you eligible for that 12-week unpaid leave. This is because addiction is a progressive disease that affects the structure and functioning of your brain as well as your body, affecting your ability to keep performing your employee duties.

## How can I use the FMLA to seek alcohol addiction treatment?

If you're planning on applying for FMLA leave, it is important to talk with an HR representative at your place of work or go through your employee handbook first. Your employer might have a procedure that you have to follow e.g. notifying them of your intention to go on leave several weeks beforehand.

Additionally, you need to be aware that the FMLA only allows you to take leave to go seek treatment for alcohol or substance abuse. It does not protect you from consequences that come as a result of you missing work or dereliction of duty because of alcohol abuse.

## What proof does my employer require for my FMLA request?

Your employer can ask you to provide proof to support your leave request. This could be a medical certificate from a health care provider. You'll also have to fill out forms WH 380F and WH 380E and have them signed by your healthcare provider or treating doctor.

## Addiction Treatment is the Next Step

If you have determined that you're eligible for leave under the FMLA and have been cleared to take it, the next step is to enroll in an alcohol addiction treatment program where you can start taking steps towards sobriety.

At [Evolve Indy](#), we offer a range of [treatment programs](#) designed to help you recover from alcohol abuse. Our treatment center in Indiana provides a conducive environment to support recovery and we have certified and experienced staff who offer counseling and medical services as part of the treatment process.

[Give us a call](#) today to discuss your treatment options.



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