Family and Medical Leave

In addition to potential eligibility under the FMLA, all parents in North Carolina are entitled to four hours of leave each school year in order to participate in parent-teacher conferences, volunteer with their child’s school, or otherwise play a role in their child’s education.


Did you know?

Many workers can’t afford to take unpaid time off and, unfortunately, the law only provides access to unpaid leave. North Carolina—unlike such states as California, New Jersey and Rhode Island—does not have a state family leave insurance program.

North Carolina needs paid leave too! Get involved at ncfamiliescare.org.

此事实文件旨在提供准确、通用的信息，有关北卡罗来纳州的就业法律权利。然而，此事实文件未涵盖豁免，并且未涵盖有关法律权利的信息。North Carolina Justice Center不能保证此文件中的信息是当前的，或对其中的使用负责任。不要仅根据此信息咨询律师或合适的机构，而是要根据您的具体情况咨询您的权利。
**YOUR RIGHT to take time to care for yourself and your family**

not have a biological or legal relationship with that child.

You may take leave to care for your spouse, son, daughter, parent, or next of kin who has a serious injury or illness related to, or made worse by, their military service.

When can I use FMLA leave to deal with other issues related to my family member’s active duty?

You may take leave time to attend military sponsored functions, make appropriate financial and legal arrangements, or arrange for alternative childcare related to your family member’s military active duty. This applies to the families of members of both the active duty and reserve components of the Armed Forces.

How do I apply for leave and how much notice must I give?

If you know you will need leave time in advance – for instance, if you are having surgery or having a baby – you must tell your employer at least 30 days before you expect to take time off. If you have a medical emergency, you must follow your employer’s rules for giving notice.

Your employer may require proof of the serious health condition for which you are requesting leave. She may require certification from a health care provider. Your employer can also require a second opinion, though your employer must pay for that second opinion. If the two opinions conflict, a third opinion, paid for by your employer, will be the final decision.

Your employer can require you to take any paid vacation, personal leave or other leave as part of your FMLA leave.

Can I get my job back after I return?

FMLA leave is job-protected leave. That means when you return to work you must get back your job or another job that has similar pay and benefits. However, your employer does not have to give you your job back if you would have been laid off during the time you were on leave. Your employer cannot fire you or take other negative employment actions against you for using FMLA leave.

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**RESOURCES**

For help finding a lawyer, call:
- North Carolina Advocates for Justice ........................................... 1-(800) 688-1413
- North Carolina Bar Association Lawyer Referral Service ............ 1-(800) 662-7660
- Legal Aid of North Carolina ...................................................... 1-(866) 219-5262

To file a claim with a government agency or to seek information on the following issues, contact:

| DISCRIMINATION | · US Equal Employment Opportunity Commission 1-800-669-4000 or www.eeoc.gov  
| · Office of Special Counsel for Unfair Immigration-Related Employment Practices 1-800-255-768 or www.justice.gov/crt/about/osc/ |
| E-VERIFY | · Department of Homeland Security / E-Verify 1-888-897-7781 or www.dhs.gov/e-verify |
| FAMILY AND MEDICAL LEAVE | · US Department of Labor 1-866-487-9243 or www.dol.gov/whd |
| HEALTH & SAFETY | · NC Department of Labor 1-800-NC-LABOR (625-2267) or www.nclabor.com/osh/about/osh.htm |
| RETALIATION | · NC Department of Labor, Employment Discrimination Bureau 1-800-625-2267 or www.nclabor.com/edb/edb.htm |
| UNEMPLOYMENT INSURANCE | · NC Department of Commerce, Division of Employment Security 1-877-841-9617 or https://www.ncesch.com/ |
| UNIONS & COLLECTIVE ACTION | · National Labor Relations Board 1-866-667-6572 or www.nlrb.gov |
| WAGE THEFT | · NC Department of Labor, Wage and Hour Bureau 1-800-625-2267 or www.nclabor.com/wh/wh.htm 
| · US Department of Labor 1-866-487-9243 or http://www.dol.gov/whd/ |
| WORKERS’ COMPENSATION | · NC Industrial Commission 1-800-688-8349 or http://www.ic.nc.gov/ |