

## NALC Form 3 - Family and Medical Leave Act

**Employee:** Return the completed form to the appropriate FMLA administration HRSSC address or fax (see attached sheet) and keep a copy for your own records.

### Certification of Qualifying Exigency for Military Family Leave

1. Employee's name (First, Middle, and Last): \_\_\_\_\_

EIN: \_\_\_\_\_ FMLA Case # (if known): \_\_\_\_\_

2. Name of military member on covered active duty or call to covered active duty\* (First, Middle, and Last): \_\_\_\_\_

3. Relationship of military member to employee: ☐ Spouse ☐ Parent ☐ Son or Daughter

4. Dates of military member's covered active duty: \_\_\_\_\_

5. **Documents confirming the military member's covered active duty or call to covered active duty status.** Please check one of the following:

☐ A copy of the military member's covered active duty orders is attached.

☐ Other documentation from the military is attached certifying that the military member is on covered active duty (or has been notified of an impending call to covered active duty).

☐ I have previously provided my employer with sufficient written documentation confirming the military member's covered active duty or call to covered active duty.

6. **Qualifying reason for leave.** The back of this form describes how the Family Medical Leave Act defines "qualifying exigencies." Does the need for leave qualify under any of the exigencies described? If so, please check the appropriate exigency.

☐ 1 Short notice deployment ☐ 2 Military events and related activities

☐ 3 Childcare and school activities involving a child of the military member ☐ 4 Financial and legal arrangements ☐ 5 Counseling

☐ 6 Rest and recuperation ☐ 7 Post-deployment activities ☐ 8 Parental care involving a parent of a military member ☐ 9 Additional activities

7. Describe the reason you are requesting FMLA leave due to a qualifying exigency (including the specific reason you are requesting leave): \_\_\_\_\_

#### 8. Documents supporting the request for leave for a qualifying exigency.

Please attach any available written documentation that supports the need for leave; such documentation may include a copy of a meeting announcement for informational briefings sponsored by the military, a document confirming an appointment with a counselor or school official, or a copy of a bill for services for the handling of legal or financial affairs. If leave is taken for rest and recuperation, a copy of the military member's rest and recuperation orders must be submitted. Available written documentation is attached. ☐ Yes ☐ None Available

#### 9. Amount of leave needed.

a. Approximate date the exigency commenced or will commence: \_\_\_\_\_

b. Will you need to be absent from work for a single continuous period of time due to the qualifying exigency? ☐ Yes ☐ No

If yes, estimate the beginning and ending dates for the period of absence: \_\_\_\_\_

c. Will you need to be absent from work periodically to address this qualifying exigency? ☐ Yes ☐ No

If yes, estimate the frequency and duration of each period of absence due to the qualifying exigency (i.e. 1 deployment-related meeting every month lasting 4 hours.)

Frequency \_\_\_\_\_ time(s) per \_\_\_\_\_ week(s) \_\_\_\_\_ month(s)

Duration: \_\_\_\_\_ hour(s) or \_\_\_\_\_ day(s) per event.

10. **Leave to meet with a third party.** Complete this section if leave is requested to meet with a third party (such as to arrange for childcare, to attend counseling, to attend meetings with school or childcare providers, to make financial or legal arrangements, to act as the military member's representative before a federal, state or local agency for purposes of obtaining, arranging or appealing military service benefits, or to attend any event sponsored by the military or military service organizations). The employer may use this information to verify that the information on this form is accurate.

Name of Individual: \_\_\_\_\_ Title: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Date of Meeting/Appointment: \_\_\_\_\_

Briefly describe the nature of the meeting/appointment: \_\_\_\_\_

I certify that information I provided above is true and correct.

Signature of employee: \_\_\_\_\_ Date: \_\_\_\_\_

## FMLA Description of a Qualifying Exigency

Eligible employees may take FMLA leave while the employee's spouse, son, daughter or parent who is a covered military member is on covered active duty for one or more of the following qualifying exigencies:

- 1. Short notice deployment.** Eligible employees may take leave to deal with issues arising when a military member is notified of deployment in 7 or less days. Leave taken for this purpose can be used for a period of seven calendar days beginning on the date a covered military member is notified of an impending call or order to covered active duty.
- 2. Military events and related activities.** Eligible employees may take leave for any official ceremony, program or event covered active duty that is sponsored by the military; or may take leave to attend family support or assistance programs sponsored by military service organizations or the American Red Cross that are related to covered active duty.
- 3. Childcare and school activities involving a child of the covered military member.** Eligible employees may take leave to arrange for alternative school or child care, to provide childcare on an urgent non-routine basis, to transfer or enroll a child in a new school or day care facility and to attend meetings with school or daycare staff if the reasons for leave arise out of the military member's covered active duty.
- 4. Financial and legal arrangements.** Eligible employees may take leave to make or update financial and legal arrangements to address a military member's absence such as preparing and executing powers of attorney, transferring bank account signature authority, or preparing a living will or trust. They may also take leave to act as the military member's representative before a federal, state or local agency for purposes of obtaining, arranging, or appealing military service benefits while the military member is on covered active duty and for a period of 90 days after the termination of the military member's covered active duty.
- 5. Counseling.** Eligible employees may take leave to attend counseling by someone other than their own health care provider for the military member, or for the son or daughter of the covered military member if the need for counseling arises from the covered active duty of the military member.
- 6. Rest and recuperation.** Eligible employees may take up to 15 calendar days of leave as a continuous block or intermittently to spend time with a military member each time he or she is on rest and recuperation leave during deployment.
- 7. Post-deployment activities.** Eligible employees may take leave to attend arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the military member's covered active duty and also to address issues arising from the death of a military member, including attending a funeral.
- 8. Parental care involving a parent of a military member.** Eligible employees may take leave for parental care if the call to covered active duty requires them: 1) to arrange for alternative care when the parent is incapable of self-care, 2) provide care on an urgent, immediate need basis when the parent is incapable of self-care, 3) to admit or transfer the parent to a care facility, 4) to attend meetings with staff at a care facility, such as hospice or social service providers.
- 9. Additional activities.** Any other event that arises out of the military member's covered active duty that the eligible employee and the employer agree is a qualifying exigency and agree to both the timing and duration of such leave.

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**\* Covered active duty or call to covered active duty status means:**

(1) In the case of a member of the Regular Armed Forces (includes the National Guard), *duty under a call or order to active duty (or notification of an impending call or order to covered active duty)* during the deployment of the member with the Armed Forces to a foreign country; and,

(2) In the case of a member of the reserve components of the Armed Forces, *duty under a call or order to active duty (or notification of an impending call or order to active duty)* during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of Title 10, United States Code. See also 29 CFR § 825.126(a).