



NATIVE AMERICAN RESOURCES, LLC

Training and Technical Assistance to Tribal Organizations

CRITICAL ISSUES ADDRESSED

***Regarding, THE FAMILY MEDICAL LEAVE ACT;
FAIR LABOR STANDARDS ACT
& AMERICANS with DISABILITIES ACT (ADA)***

***REQUEST THIS NEW C-D COMPILED TO HELP TRIBAL EMPLOYERS
A concise synopsis of the above 3 Key Employment Laws in a Q/A Format***

For all of tribal personnel officers, supervisors and managers who thought that they knew all there was to know about the FMLA, guess again. A recent Supreme Court ruling (*Ragsdale v. Wolverine Worldwide, Inc.*) is raising more questions than it answered. Although the ruling seems at first to benefit the employer, the wording of the decision has potentially opened the door for many more lawsuits against them. Further, some employers have been fined and made to pay huge sums of back pay wages for either ignoring, misrepresenting and/or avoiding the FLSA, especially on issues regarding exempt versus non-exempt employees. The C-D helps address, among many other issues, such questions as:

- Can an employee take intermittent FMLA leave (for example, every other Monday-Tuesday for six months) for medical treatment?
- When, by mistake, an employee who was not eligible was granted FMLA leave, can the employer revoke the leave?
- When an employer can prove that an employee on FMLA leave was nonetheless “moonlighting” by working at another place, can the employer fire the individual?
- Should FMLA leave be assigned to an employee when he/she has not directly requested such leave?
- Can two married employees take FMLA leave at the same time in order to take care of an elderly relative?
- What happens if an exempt employee has taken all his/her time off and takes more, can the employer “dock” the pay?
- Does an employer have to pay overtime for work on weekends or on a national holiday?
- Do employees have to be paid for time spent traveling on an airplane or for time visiting vendors at a conference?
- How is time spent on jury duty or military leave compensated?

The CD lists the following:

- **DOL Policies on American Indians; FMLA Qualifications for Employers and Employees; What events (conditions) qualify for FMLA leave and which do not; How to calculate FMLA leave; Clarifying “intermittent” leave, reduced schedule and paid leave versus unpaid FMLA leave; Record-keeping requirements; Reinstatement and Termination policies**
- **Clarifying the FLSA; Exempt and non-Exempt employees; “Docking” Pay; Overtime Compensation; Defining “Work-Time”; Correcting Payroll Problems; Labor of Minors; Record-Keeping & Posting Requirements**
- **ADA Question and Answers**

Cost: \$395.00 if e-mailed (otherwise add \$12.95 Handling/shipping)

Call: 505-268-4120 or E-Mail: Natata@Peoplepc.com