



March 11, 2015

U.S. Department of Labor updates definition of spouse

On Feb. 25, 2015, the U.S. Department of Labor issued new rules revising the regulatory definition of “spouse” under the Family and Medical Leave Act of 1993 (FMLA), which entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons.

The new rules amend the regulatory definition of spouse in the context of the FMLA to specifically include employees in legal, same-sex marriages in order to allow such employees to take FMLA leave to care for a spouse or family member, regardless of state of residence. This change ensures that employees in same-sex marriages have the same rights under the FMLA as all other employees. The new rules take effect March 27, 2015.

In light of this change, we will be updating our operational procedures and training our leave specialists to code in our system all cases of leave related to care of a spouse—whether same-sex or opposite-sex—as a spouse to ensure that FMLA leave is applied appropriately. Our standard practice is not to obtain documentation to support opposite-sex marriages, so we will not require documentation to support same-sex marriages either.

More information on the new rules is available [here](#). If you have any questions, please contact your Sedgwick client services representative.