



THE STATE OF FLORIDA
JUSTICE ADMINISTRATIVE COMMISSION

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MEMORANDUM 006-15HR

TO: Agency Administrators

FROM: Carolyn Horwich, J.D., Director of Human Resources

THROUGH: Rip Colvin, Executive Director

SUBJECT: FMLA Rule Revision

DATE: February 24, 2015

The U.S. Department of Labor is revising the regulatory definition of "spouse" under the rules for the Family and Medical Leave Act of 1993 (FMLA). The effective date for the final rule is March 27, 2015.

The Department has moved from a "state of residence" rule to a "place of celebration" rule for the definition of spouse under the FMLA regulations. The Final Rule changes the regulatory definition of spouse in 29 CFR §§ 825.102 and 825.122(b) to **look to the law of the place in which the marriage was entered into, as opposed to the law of the state in which the employee resides.**

For additional information, please go to the USDOL's website here:
<http://www.dol.gov/whd/fmla/spouse/index.htm>

Thank you.