

Chapter Summary The Family and Medical Leave Act (FMLA) is the principal federal law affecting the provision of leave for parental and medical reasons. However, the law does not and cannot mandate inclusive organizations that genuinely respect and value diverse people. Transsexuals might now receive protection under Title VII by arguing that, under the theory of sex-stereotyping, discrimination against them is due to their nonconformance with established gender definitions. The FMLA entitles employees to up to a total of twelve weeks of leave over a twelve-month period, maintenance of health insurance benefits during leave, and restoration from leave to the same position held prior to leave or an equivalent position. The creation of such laws is a politically charged issue and has spawned campaigns aimed at preventing their passage. Any protection for private sector employees from discrimination based on sexual orientation comes under state and city laws. The Supreme Court has ruled against one such effort, but the limits are not yet clearly defined. Employers are confronted with many questions of how best to deal with differences. Some of these are matters of employment law. It's up to employers and employees to do this.