

Crookes Quoted in Akron Legal News Story Titled “FMLA rule change takes effect March 27”

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Tom Crookes, a partner in the Akron office and a member of the labor and employment group, was quoted throughout an *Akron Legal News* story titled “FMLA rule change takes effect March 27.” The story was about a recent change to way the Department of Labor applies the Family Medical Leave Act (FMLA). The FMLA will now look to the law of the place where the marriage was entered into instead of the law of the employee’s state of residence. If an employee’s same-sex marriage was valid in a state or foreign country, that marriage will be valid under the FMLA regardless of whether the state in which the employee resides recognizes same-sex marriages.

The story states:

“It was only a little over a year ago that the DOL changed the rules to include same-sex married spouses whose marriages were considered legal in the state where they resided,” said Tom Crookes, a partner in the labor and employment group at Vorys, Sater, Seymour and Pease.

Crookes said the change, which takes effect March 27, means ‘if an Ohio couple was married in New York for instance, and one of the spouses becomes ill, the other one has the right to request FMLA leave to care for the ill spouse.’

He said it would also allow a same-sex spouse to take time off to care for his/her partner’s ill children.

‘I think the DOL is foreseeing where the courts are going with the same-sex marriage issue,’ said Crookes. ‘As more states legalize same-sex marriage it makes sense to look to the place where the marriage took place versus where the couple reside.’”

The story also states:

‘I think the rule change will likely impact smaller employers more than large companies since they will have to scramble to find other people in the company or temps to perform the work of the

employee on leave,' said Crookes.

'Larger companies will find it easier to spread the duties out since they have more workers.'

To read the entire story, visit the *Akron Legal News* [website](#).

