

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

)	
)	
)	
Plaintiff,)	No. _____
)	
vs.)	
)	Judge _____
)	
)	
)	
Defendant(s).)	

COMPLAINT UNDER FAMILY AND MEDICAL LEAVE ACT (FMLA)

If the pro se plaintiff has filled out a form Complaint of Employment Discrimination and wishes also to claim denial of family or medical leave, the plaintiff must staple this form Complaint to the Complaint of Employment Discrimination. DO NOT file the two form complaints separately.

1. This is a claim for violation of the Family and Medical Leave Act of 1993, title 29 United States Code, sections 2601 *et seq.*
2. The plaintiff's full name is _____ of the County of _____ in the State of _____.
3. The name of plaintiff's employer against which this claim is made (defendant) is _____, located at (*street address*) _____.

(city) _____ (county) _____ (state) _____ (ZIP) _____.

4. (If plaintiff intends to name any other party as a defendant, use the space below to insert name and address as in paragraph 3.) Defendant is

_____.

5. The plaintiff is/was employed by the defendant named in paragraph 3 from

(date) _____ until _____.

6. Defendant is engaged in commerce or an industry affecting commerce.

7. Defendant regularly employs at least 50 employees at or within 75 miles of plaintiff's work site. Yes No

8. On _____, plaintiff requested family or medical leave from defendant or defendant's representative (*name and title of individual to whom request was made if known*) _____ because of

- the birth of a son or daughter of the plaintiff and in order to care for that infant;
- the placement of a son or daughter with the employee for adoption or foster care;
- the need to care for plaintiff's spouse, son, daughter, or parent who had a serious medical condition;
- the plaintiff's serious health condition that made plaintiff unable to perform the functions of the plaintiff's job.

9. On the date alleged in paragraph 8, plaintiff had been employed by the defendant for at least 1,250 hours during the previous 12-month period. Yes No

10. Defendant violated plaintiff's rights under the Family and Medical Leave Act because it denied plaintiff's request for family or medical leave on or about (*date*)

terminated the plaintiff's employment on or about _____ because of plaintiff's request;

otherwise interfered with, restrained, or discriminated against plaintiff on or about _____ because of plaintiff's exercise of FMLA rights, specifically,

_____.

11. Jurisdiction over the violation alleged is conferred by 29 U.S.C. § 2917(a)(2).
12. Defendant knowingly, intentionally, and willfully violated plaintiff's rights.
13. Plaintiff demands that the case be tried by a jury. Yes No

WHEREFORE, plaintiff demands the following relief:

- (a) Damages under 29 U.S.C. § 2617(a)(1)(A) (i)(I) for any wages, salary, employment benefits, or other compensation denied or lost because of defendant's wrongful conduct;
- (b) **Although no wages, salary, or benefits were lost**, damages under 29 U.S.C. § 2617(a)(1)(A)(i) (II) equal to the actual monetary losses sustained by plaintiff because of defendant's wrongful conduct, such as the cost of providing care, up to an amount equal to 12 weeks of wages or salary of plaintiff;
- (c) Interest under 29 U.S.C. § 2617(a)(1)(A)(ii);
- (d) Liquidated (double) damages under 29 U.S.C. § 2617(a)(1)(A)(iii);
- (e) Such equitable relief under 29 U.S.C. § 2617(a)(1)(B) as may be appropriate,

including employment, reinstatement, or promotion, and
direct the defendant to (specify):

_____..

Plaintiff's signature: _____

Plaintiff's name (*print clearly or type*): _____

Mailing address: _____

City _____ State _____ ZIP _____

Telephone number: () _____

Email address, if any: _____.