

29 C.F.R. § 825.400

Enforcement, general rules.

(a) The employee has the choice of:

- (1) Filing, or having another person file on his or her behalf, a complaint with the Secretary of Labor, or
- (2) Filing a private lawsuit pursuant to section 107 of FMLA.

(b) If the employee files a private lawsuit, it must be filed within two years after the last action which the employee contends was in violation of the Act, or three years if the violation was willful.

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