

## FMLA PROCESS GUIDELINES FOR DEPARTMENTS & EMPLOYEES

1. **Department becomes aware of employee absences for possible FMLA covered reason and contacts Human Resource Services.**

~OR~

**Employee contacts HR or dept and advises of need to be off work for possible FMLA covered reasons.**

2. HR determines if employee meets FMLA criteria

Staff	Faculty – paid FMLA	Faculty – Unpaid FMLA
<ul style="list-style-type: none"> <li>• Employed with the University at least 12 months (including prior service) and</li> <li>• worked with the University at least 1250 hours in last 12 months (HR 407)</li> </ul>	<ul style="list-style-type: none"> <li>• employed with the University at least 12 months</li> <li>• tenure/tenure track or full time ranked non-tenure faculty and</li> <li>• have not had 2 paid FMLA leaves in the last 6 years (otherwise unpaid FMLA leave) (<i>Collected Rules &amp; Regulations 340.070</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• Employed with the University at least 12 months and</li> <li>• Worked with the University at least 1250 hours in last 12 months (HR 407)</li> </ul>

### 3. IF CRITERIA IS MET

- HR notifies dept/supervisor by email of employee eligibility and request for FMLA.
- HR requests dept/supervisor to identify any unique essential job functions for employee
- HR determines if employee has used any FMLA leave in the last 12 months
- HR determines FMLA start date and FMLA leave balance
- HR prepares FMLA initial criteria letter to employee attaching appropriate provider certification with essential job functions listed, as necessary. Attachments include:
  - Cover letter
  - FMLA initial criteria letter
  - Provider Certification
  - FMLA Rights
  - Release of Information form (HIPAA)

- FMLA Policy, Q&A, Collected Rules for Faculty Leave, etc.
  - **HR** mails FMLA packet to employee  
(within 5 business days of notification, date absence began or request for leave)
3. a. **IF CRITERIA IS NOT MET**
- **HR** prepares FMLA initial criteria letter with denial section completed and mails to employee. (within 5 business days of notification, date absence began or request for leave)
  - **Dept** may contact **HR** to discuss other options if FMLA is not available
4. **Employee** takes **Provider Certification** to medical professional and returns completed form to **HR**  
(within 15 calendar days from receipt of letter)
- If provider cert not received, **HR** sends FMLA decision letter to employee indicating need for provider certificate within 7 days.
5. **Employee** returns completed HIPAA Release of Information form to **HR**
6. **HR** reviews Provider Certification
7. **HR** sends FMLA Decision letter to employee, applicable section completed.
- Approved
  - Need more info
  - Denied
8. **HR** notifies **department** contact of approval/denial by email, includes FMLA begin date and FMLA department tracking spreadsheet; email advises supervisor to share information with appropriate personnel within the department.
9. **Employee** should record FMLA absences on the report of absence form (if applicable) or notify timekeeper of FMLA absences (Any absence related to FMLA covered condition should be charged to FMLA and leave time, if applicable)
- **Dept** sends copy of FMLA department tracking spreadsheet to **HR** periodically, at least once a month or after every pay period, as needed
  - If **employee** absence will be (or has been) for a continuous period of more than 30 days, a **Request for Leave of Absence** form is completed by employee's dept, submitted for authorized signatures and forwarded to **HR** to process PAF. Start date on the

Request for Leave of Absence form should be the first date the employee was continuously absent (regardless of pay status).

10. **Department** should notify **HR** of employee's Last Day Worked & Last Day Paid (these may differ depending on the employees available leave time).
- **Bi-weekly employees** should record paid leave time hours (if available) in Time and Labor and notify **department timekeeper** prior to going on leave (if possible). **Department timekeeper** should enter hours into Time and Labor as needed, if the employee is unable to do so.
  - **Monthly staff employees** should record paid leave time hours (if available) in Time and Labor and notify **department timekeeper** prior to going on leave (if possible). **Department timekeeper** should enter hours into Time and Labor as needed, if the employee is unable to do so.
  - **Employees** are only eligible to use leave time as accrued through last day worked.
    - **Employee** will continue to accrue leave time while on FMLA if it is a paid leave but cannot use this time until they return to work. (*HR 408*)
    - If an **employee** remains on leave of absence after all available leave time has been exhausted the leave will change to an Unpaid Leave of Absence. If **employee** has benefits he/she must arrange with **HR** to pay premiums while on unpaid leave.
11. Before **employee** returns to work, the employee must obtain a medical release to return to work from his/her treating medical professional. Employee takes/sends this release to **HR** prior to returning to work.
- **HR** reviews the Release to Return to Work.
  - **HR** emails the **department** to notify the employee has been released to return to work and effective date.
12. If FMLA leave time is exhausted and **employee** needs to remain off work due to a continuing condition, the **employee** should discuss his/her need for additional leave with the **department**. **Department** should contact **HR** to discuss available options.

### Human Resource Services contacts:

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