FMLA – EMPLOYEE RESPONSIBILITIES & EXPECTATIONS

There are two circumstances under which employees should request FMLA (Family Medical Leave Act) leave:
1) **Unplanned Leave** (e.g. car accident, employee or family medical emergency)
   ⇒ **Action is required on 4th day of absence.** All payroll reps should also be watching for **four consecutive days** of sick or unpaid leave
2) **Planned Leave** (e.g. childbirth, scheduled surgery, etc.)
   ⇒ Employee informs supervisor no less than 30-days in advance

**Note:** To be eligible for FMLA **Employee** must have
- 12 months of service **AND**
- 1,250 hours in the preceding 12-month period **AND**
- serious health condition of employee or eligible family member

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**FMLA Process at a Glance:**

1. **Step 1:** Employee Completes Electronic FMLA Request
2. **Step 2:** CS-HR Reviews Request to Determine FMLA Eligibility
3. **Step 3:** Central HR Determines FMLA Designation
4. **Step 4:** Leave Event Determines how FMLA will be taken
5. **Step 5:** Employee Returns from FMLA Leave

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**Employee Step 1 Responsibilities: FMLA Request**
- Employee submits FMLA request through Self-Service [http://leo.cc.emory.edu/](http://leo.cc.emory.edu/)
- Employee obtains medical certification documents from FMLA system, FMLA Stations or from Supervisor
- Employee requests doctor to complete medical certification and fax to **Central HR** at 404-712-5259 within 15 days of leave request

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**Employee Step 2 Responsibilities: FMLA Eligibility**
- Employee follows-up with Supervisor to ensure employee leave accruals (sick, vacation, floating holidays) have been submitted to CS-HR
- Employee checks Emory e-mail for notification of FMLA **eligibility** from Leave System

**Note:** If employee is not eligible for FMLA leave, **CS-HR** discusses other available leave options with Employee and Supervisor

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EMPLOYEE STEP 3 RESPONSIBILITIES: FMLA DESIGNATION

- Employee follows up with doctor to ensure medical certification has been faxed to Central HR at 404-712-5259
- Employee checks Emory e-mail for notification from Leave System that may request additional information
- Employee checks Emory e-mail for notification of FMLA designation from Leave System

**Note:** If leave request is not designated as FMLA, CS-HR discusses other available leave options with Employee and Supervisor (e.g. non-FMLA medical leave, personal leave, etc.)

EMPLOYEE STEP 4 RESPONSIBILITIES: FMLA LEAVE DURATION & TYPE

- Employee determines how to use paid time (if applicable)
  - If Short Term Disability (STD) will be used, Employee informs Supervisor of waiting period. Contact Benefits Department at 404-727-1658.
- Employee informs Supervisor how paid time (if applicable) will be used and the intended dates for which leave will be needed.

**Note:** FMLA Law allows
- Up to 12 weeks of unpaid leave in a 12-month rolling period OR

  Leave Options:
  - Full-time leave for a continuous period or intermittent leave on a reduced leave schedule
  - The way in which FMLA is taken (intermittent or continuous) will depend on medical certification provided by the health care provider

EMPLOYEE STEP 5 RESPONSIBILITIES: RETURN TO WORK FROM FMLA LEAVE

- Employee notifies Supervisor and CS-HR of Actual return date once medical release is obtained
- Employee must contact CS-HR on the date of employee returns to work to confirm that the employee has actually returned to work

**Note:** If FMLA leave was for employee’s own serious health condition, employee’s doctor must provide a signed “Release to Work” document (indicating with or without restrictions).

OR

- Employee notifies Supervisor and CS-HR of Need for additional leave

**Note:** If FMLA leave has expired, Department Leaders (Asst. Directors and above) need to consult with CS-HR regarding employee’s position. Options include:
  - Extending the employee the option of non-FMLA medical leave
  - Not holding the position and posting to open recruitment