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

**FMLA PROCESS AT A GLANCE:**

**Employee Step 1 Responsibilities: FMLA Request**
- Employee submits FMLA request at [https://apps.hr.emory.edu/FMLA/Data/request.jsp](https://apps.hr.emory.edu/FMLA/Data/request.jsp).
- 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 404-712-5205 within 15 days of leave request

**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
EMPLOYEE STEP 3 RESPONSIBILITIES: FMLA DESIGNATION

Employee follows up with doctor to ensure medical certification has been faxed to Central HR at 404-712-5205.

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