

Please refer to PAM 703 Family Medical Leave (FMLA) for details on eligibility and types of FMLA leave available. Information can also be obtained by visiting Human Resources website.

Family Medical Leave Act Procedures

Employees are able to obtain the Certificate of Health Care form from their Human Resources Liaison, Supervisor, or via Human Resources website.

- 1) The employee and their attending physician complete the Certificate of Health Care form and return it to their department Human Resources Liaison or to Human Resources Medical Services.
 - a) If the form is given to the department's Human Resources Liaison, it is to be immediately sent to Human Resources Medical Services. Fax# 757-926-1842. Original to be sent via inter-office mail: Attn: Health and Safety Coordinator. Please mark the envelope as "Confidential".
 - b) A Certificate of Health Care form is required for each event. An employee may be able to have multiple FMLA designations throughout the calendar year.
- 2) Human Resources Health and Safety Program Coordinator will review the documentation and determine if the request qualifies for Family Medical Leave.
 - a) Event qualifies: Human Resources will mail a FMLA Designation Letter and Employee Rights and Responsibilities to employee and forward a copy to the department Human Resources Liaison.
 - b) Event doesn't qualify: Human Resources will mail a FMLA Qualifying Denial Letter to the employee and forward a copy to the department Human Resources Liaison.
 - c) Incomplete/Insufficient Information: If the Certificate of Health Care is lacking sufficient information to determine if the event qualifies, Human Resources will send the employee a FMLA Certification Incomplete or Insufficient letter. The employee will have 7 days to complete the form and return to Human Resources.
- 3) Designated FMLA Leave:
 - a) Departments are to enter a Personnel Action in MUNIS with the appropriate Reason/Authorization Code.
 - FMLA- FMLA Employee
 - FMLF- FMLA Family Member
 - FMLS- FMLA Family Service Member
 - FMLX- FMLA Qualify Exigency

This action is to record the beginning date of the approved leave (noted in designation letter).

- b). Departments are to enter all time associated with the FMLA leave (block or intermittent) on in payroll using one of the following codes.
 - 541- Unpaid FMLA
 - 542- FMLA PPL

543- FMLA PML

545- FMLA Comp Time

Employees are to exhaust all PML and PPL before being placed in an unpaid status.

- c) Human Resources Medical Services will create a confidential medical file to maintain the Health Care Certificates and Return to Duty forms.
- 4) Human Resources Medical Services will review payroll reports used for tracking FMLA hours used each pay period.
- 5) Human Resources Medical Services will review payroll reports to determine if an employee has been out on PML for 3 consecutive days or more. The Health and Safety Coordinator will contact the employee's department to gather information regarding the absence. If the situation appears to be a qualifying FMLA event, Human Resources will begin the notification process by mailing a FMLA Initiate Letter to the employee and copying the department.
- 6) Return to Duty: At the onset of approved FMLA leave, Human Resources Medical Services will also provide the employee a copy of their job description and a Return to Duty Certificate to be completed by their treating physician before returning to work. Upon return to work, the Return to Duty Certificate is to be presented to the department's Human Resources Liaison and forwarded to Human Resources Medical Services. Employees returning from designated FMLA leave should not begin work if they have not provided the Return to Duty Certificate.

Departments are required to enter a Personnel Action MUNIS with the required Personnel Action code returning them from FMLA. The date of action will be the return to work date.

- 7.) FMLA Intermittent Recertification: Employees that have been designated Intermittent FMLA Leave are required to recertify their leave request annually (January) or not more than once every 30 days if it their situation has changed.
 - a) Human Resources Medical Services will mail a FMLA recertification letter and Health Care Provider forms to employees by mid-December. If the form is not returned within the allotted time, the employee will be notified that their leave will no longer be classified as FMLA until the required documentation is received.
- 8) FMLA Exhaustion of Time: Human Resources Medical Services will mail a notice of FMLA Exhaustion to employees within the 12 week timeframe (approximately the 10th week) notifying them that their FMLA leave is expiring. The letter also provides information regarding the ability to request a Non-FMLA Leave of Absence per PAM 704. A copy of this notification is to be provided to the department Human Resources Liaison.

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Important: All information pertaining to an employee's medical situation and Family Medical Leave is strictly confidential. All medical documentation must be kept in a secure location until it is forwarded to Human Resources Medical Services. In compliance with the Health Insurance Portability and Accountability Act (HIPPA) Departments are requested not to keep copies of an employee's Certificate of Healthcare Form or any other medical information at their location. This information is designated as Personal Health Information (PHI) and as such is to be sent directly to Human Resources Medical Services.