Family Medical Leave Act Procedures

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| **Corresponding Policy Title:** Family Medical Leave Policy   **Procedure Owner**: HR Benefits Related Policies:   Forms: link to form(s) related to procedure | **Effective:** March 2018  **Last Updated:** March 2018  **Responsible University Department:**  Payroll Benefits and Records  **Procedure Contact: Executive Director, Payroll, Benefits and Records** |

1. Procedures

**Requesting FMLA**

* Employee notifies Supervisor and/or HR Liaison in the department of their request for FMLA leave.
* HR Liaison provides the employee with the “Notice of Rights and responsibilities” and the “Medical Certification form”.
* Employee requests completion of the medical certification form from their physician.
* If employee is requesting FMLA for an eligible family member, employee submits medical certification form to family member’s physician for completion.
* Employee or physician returns the medical certification form to Auburn University Benefits Coordinator in Human Resources within 15 days of FMLA request.

**Approval and Designation of FMLA**

* Benefits Coordinator certifies the FMLA leave or requests additional information if needed.
* Benefits Coordinator notifies department HR Liaison of approval and amount of time approved for FMLA by copy of Designation Notice.
* Benefits Coordinator sends Designation Notice to employee notifying FMLA approval.
* If FMLA is designated for the entire 12 weeks, Benefit Coordinator notifies the employee by letter to indicate the end date of the approved FMLA leave.

**Tracking of FMLA**

* HR Liaison/Timekeeper enters time for employee on FMLA leave in Kronos.
* FMLA-sick, FMLA-vacation, or FMLA-no pay are earn code options for FMLA leave in Kronos.
* Employee is responsible for letting HR Liaison/Timekeeper know which FMLA earn code to use to ensure the correct FMLA time is entered.

**Recertification**

* All intermittent leave will be approved for up to six months at a time.
* After the initial six months ends, the employee is responsible for notifying HR Liaison or Benefits Coordinator in Human Resources of request for recertification of intermittent leave.
* Employee is responsible for notifying HR Liaison or Benefits Coordinator in Human Resources of request for FMLA extension at which point:
* HR liaison or Benefits Coordinator provides employee with a new medical certification form for the employee to have completed by physician and returned to the Benefits Coordinator in Human Resources.
* Benefits Coordinator recertifies the FMLA leave and completes and sends the medical designation notice to the department and to the employee.

**Return to Work Status after FMLA leave**

Employee must submit a return to work notice from the treating physician to HR Liaison before being allowed to return to work. The HR Liaison will submit a copy of the return to work documentation to the Benefits Coordinator.

1. Forms

Certification of Health Care Provider for Employee’s <https://www.dol.gov/whd/forms/WH-380-E.pdf>  
  
Certification of Health Care Provider for Family Member <https://www.dol.gov/whd/forms/WH-380-f.pdf#WH380F>  
  
Notice of Eligibility and Rights and Responsibilities <https://www.dol.gov/whd/forms/WH-381.pdf#WH381>  
  
Employee Rights and Responsibilities under FMLA

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| **Action** | **Forms** |
| Apply for FMLA due to Employee's Serious Health Condition | [WH380E](https://www.dol.gov/whd/forms/WH-380-E.pdf#WH380E%20form)  [HR8](http://www.auburn.edu/administration/human_resources/forms/hr8.pdf) |
| Apply for FMLA due to Family Member's Serious Health Condition | [WH380F](https://www.dol.gov/whd/forms/WH-380-F.pdf#WH380F%20form)  [HR8](http://www.auburn.edu/administration/human_resources/forms/hr8.pdf) |
| Apply for Military Family Leave based on addressing certain [Qualifying Exigencies](http://www.auburn.edu/administration/human_resources/emprelations/definitions.htm#qualifyingexigency) of a family member in the National Guard or Reserves who is on active duty or is called to active duty. | [WH384](https://www.dol.gov/whd/forms/WH-384.pdf#WH384)  [HR8](http://www.auburn.edu/administration/human_resources/forms/hr8.pdf) |
| Apply for Military Family Leave for employee who is the spouse, child, parent, or [Next-of-kin](http://www.auburn.edu/administration/human_resources/emprelations/definitions.htm#nextofkin) of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty. | [WH385](https://www.dol.gov/whd/forms/WH-385.pdf#WH385)  [HR8](http://www.auburn.edu/administration/human_resources/forms/hr8.pdf) |
| Apply for Military Family Leave for an employee who is the spouse, son, daughter, parent, or [Next-of-kin](http://www.auburn.edu/administration/human_resources/emprelations/definitions.htm#nextofkin) of a covered veteran with a serious injury or illness. | [WH385V](http://www.dol.gov/whd/forms/wh385V.pdf)  [HR8](http://www.auburn.edu/administration/human_resources/forms/hr8.pdf) |