FMLA
Family & Medical Leave
What is the purpose of FMLA?

- Provides up to 12 weeks of job protection during a rolling 12 month time period.
- Employment status can not be adversely affected (e.g., position held, increases, reclassifications, work assignments).
- Allows employees to continue their benefits at the rate they are currently paying.
When Do I Discuss FMLA with an Employee?

- An employee has a need to be off for more than 5 days for a medical reason.
- An employee frequently asks for time off for doctor’s appointments, treatment visits, etc or frequently calls in sick.

Remember that it is your responsibility to inform employees about FMLA.
How does an employee qualify?

- Completed 12 months of service
- Worked at least 1250 hours in the past 12 months at Vanderbilt
- Must be for a qualifying reason …
What is a qualifying reason?

- Care/Treatment of a Serious Medical Condition for Employee
- Care/Treatment of a Serious Medical Condition for Immediate Family Member (spouse, parent or biological child, stepchild, adopted child, foster child, and child(ren) for which you have legal and/or daily responsibility)
- Birth, adoption or placement of foster children
Important Reminders

• Always document your FMLA discussions.
• Let the employee know that you are considering their time away as FMLA until a final determination is made.
• An employee must use FMLA if they qualify.
• Any leave or combination of leaves may not exceed six months in any 12-month period unless otherwise required by law.
• All leaves run concurrently and count toward the six month maximum.
Administering FMLA

• Employees must use accrued time before going on an unpaid leave
• Protect employee’s medical information. All medical information should be submitted to Occupational Health.
• Track FMLA status and usage (PAF to HR Records, Utilization form to Employee Relations)
• FMLA must be recertified every 12 months.
• If an employee is on Worker’s Comp, they should apply for FMLA.
Intermittent Leave

- Intermittent leave is defined as a leave allowed for Medical reasons that can be taken on a reduced schedule.
- Intermittent leave can be taken in hour, day or week intervals with appropriate documentation.
- Intermittent leave for doctor’s appointments, treatment visits, etc., should all be scheduled in advance.
- If an employee has intermittent leave for a # of days, you count them as calendar days not work days.
Staff member requests Medical Leave

Supervisor notifies staff member of eligibility and provides forms

Staff member returns Medical documents to Occupational Health

Occupational Health Center tracks certification and approves Medical determination

Occupational Health Center forwards medical approval to Employee Relations

Employee Relations tracks determination, contacts Department and forwards Determination form to dept.

Employee Relations advises Supervisor and staff of approved time off

Employee Relations addresses issues; refers work restrictions to ODC

Employee Relations inputs utilization information into PeopleSoft
FMLA Documents

- FMLA Staff Member Leave of Absence request letter
- Certification of healthcare provider completed and send to Occupational Health (OHC)
- Leave Tracking form
- Managers are required to provide confirmation of an FMLA request within 2 days of the staff member's notification of a qualifying event.
- If the confirmation is oral, it must be followed up in writing within 15 days or by the next pay date, whichever is sooner.
- All paperwork can be found on the HR website: http://hr.vanderbilt.edu/forms/index.htm
NON-FMLA Medical Leave

- An employee may take up to 6 weeks medical leave during their first year of employment.
- For employees who have a qualifying reason and have exhausted all available FMLA time.
- Employee’s job is not protected during this time.
- Employee will continue to pay the same rate for their benefits.
Health Care Coverage During Leave

FMLA/Non-FMLA

• Health care coverage will continue at the same level and under the conditions that the coverage would have been provided had the staff member continued working.

• Staff members on paid leave will have his/her portion of the premiums deducted through payroll deductions as long as the staff member has accrued time available to keep the staff member on a paid status.

• If staff member is in an unpaid leave status, the staff member will be required to submit premium payments to HRS Payroll Office to cover his/her portion of the premium in the same amount as if the staff member was working.
Return from Leave of Absence

• Staff members are expected to be available for work at the end of his/her approved leave time.

• Staff members on a leave for his/her own medical condition must obtain Certification from their health care provider prior to returning to work.

• If a staff member is released to return to work with restrictions, the department in consultation with Employee Relations and the Opportunity Development Center will consider whether an accommodation is appropriate.
Return from Leave of Absence

• If a staff member does not return to work and the staff member is not granted any additional leave, (up to the maximum allowed), his/her employment ends as a resignation effective the last day of the approved leave.

• In both FMLA and Non-FMLA instances, when a position is not held and the staff member refuses to accept a comparable position that is offered or refuses to interview for such, Vanderbilt will consider this a voluntary resignation.