

## **Emory University Employee FMLA Guidelines**

(Note: This document is a supplement to, not a replacement for Policy 4.73 Family and Medical Leave (FMLA, <http://policies.emory.edu/4.73>) Please note: The FMLA guidelines are written for Emory University employees. If you are an Emory Healthcare employee, please contact Emory Healthcare's Central Leave Office for instruction on EHC's FMLA policy and processes.

### **FMLA**

The FMLA (Family Medical Leave Act) is a federal law which allows eligible employees to take up to 12 workweeks (or 480 hours) of unpaid leave per rolling calendar year (12 month period) for a qualifying event. FMLA can be taken consecutively or intermittently. Employees are paid with available sick or vacation leave accrual, floating holidays, or salary continuation (if applicable). **Please note: FMLA is not optional; if the employee is eligible, and the event qualifies, then the employee and department must comply.**

### **Eligibility**

In order to be eligible, the employee must have met the following criteria:

- Worked for Emory for at least 12 months (need not be consecutive)
- Worked at least 1,250 hours over the previous 12 months (must be actual hours worked; does not include paid leave time)

### **Qualifying Events**

Employees can take FMLA leave for the following qualifying events:

- Birth of the employee's child, or to care for the employee's newborn child
- Because of the employee's own serious health condition resulting in a period of medical incapacity of more than three (3) consecutive days, and any inpatient medical care
- To care for a Care Recipient (employee's spouse/SSDP, parent, parent-in-law, child, adult child without other care support) with a serious health condition
- Placement of a child with the employee for adoption or foster care within one year of the placement
- To care for a U.S. service member with a serious injury or illness incurred in the line of duty (can be on FMLA for up to 26 weeks for this event) while on active military duty if the employee is the spouse, son/daughter, parent, or next of kin
- A qualifying military exigency of an employee's spouse, son/daughter, or parent (applies to reservists only when called to active duty)

### **How to Initiate an FMLA Leave Request**

An FMLA leave request should be initiated by the employee (or the employee's representative if employee is not able). The request should be submitted at least thirty (30) days before the leave start

date, if the need is foreseeable, or as soon as practicable in the case of leave that is not foreseeable 30 days in advance;

1. Log into PeopleSoft, then click Self-Service. (<http://leo.cc.emory.edu/> )
2. Click the link for FMLA and Medical Leave, then log into the FMLA Leave Request System.
3. Under Employee Requests, click Request a Leave of Absence.
4. Enter all requested fields. If you are unsure of the leave start date or end date, make your best guess. Employee Relations can adjust the dates later if needed.
5. Once all fields are completed, submit the leave request.
6. Print out a copy of the FMLA Healthcare Provider Certification form. This document should be given to the medical provider to complete and fax back to the number on the 1<sup>st</sup> page of the certification form (404-712-5259).
7. If the FMLA leave is for an event other than a serious medical condition, please contact Employee Relations for an explanation of appropriate documentation needed.

### **After You Request FMLA Leave**

After you officially request FMLA leave, there are a few steps that you must follow to ensure that you are paid correctly while you are on FMLA leave.

1. Follow up with departmental management/HR Rep to communicate how you wish to be paid while on FMLA leave after sick leave is exhausted, or if you plan to file a claim for short term disability (STD). If you plan to file a claim for STD, also contact the Benefits Department at 404-727-7613 for instructions and Emory University's plan number, or access the information online at <http://www.hr.emory.edu/eu/benefits/std/std.html>.
2. You will receive a copy of the Eligibility Notice from your department within five (5) days of submitting your leave request. The Eligibility Notice will inform you if you are eligible to take FMLA leave. This is **not** a designation (approval) notice.
3. Your leave will stay in a pending status until Employee Relations receives the medical provider certification form (or appropriate documentation). This document must be received within 15 days of your leave start date. Once the documentation is received, HR will determine if the event qualifies for FMLA leave. Employee Relations will then either designate (approve) the leave, ask for additional documentation or clarification of documentation received, or deny FMLA.
4. You will receive a designation (approval, pending, or denial) notice within 7 days of receipt of the medical provider certification form.

### **Returning to Work**

**If you are on FMLA leave due to your own serious health condition, you must provide a return to work note from your medical provider prior to resuming work or any work duties. The return to work note must indicate the day that you are released to return to work, and list any restrictions. You will not be allowed to resume work in any capacity without a medical release to return to work. The return to**

**work note can either be turned into your supervisor/departmental HR Rep, or faxed to Employee Relations at 404-712-5259.**

If you have any questions regarding these FMLA Guidelines, please contact Employee Relations at 404-727-7625.