

Family and Medical Leave Act (FMLA) – A Guide for Department Leave Coordinators

What is FMLA

FMLA is leave entitlement for reasonable, **job-protected** leave for specified family and or medical reasons. Under the federal Family and Medical Leave Act (FMLA), eligible employees have a right for up to 12 weeks of job-protected leave per 12-month period based on TAMUS fiscal year (Sept-Aug) for the following reasons:

- For incapacity due to pregnancy, prenatal care or childbirth.
- To care for the employee's child after birth, or placement for adoption or foster care.
- To care for the employee's spouse, son or daughter, or parent with a serious health condition.
- For a serious health condition of the employee that prevents the employee from performing the essential functions of the employee's position.
- Notifies you that they must take care for/or respond to needs of a family member in the military

Possible FMLA Situation

Correspondence for supervisor and employees will direct them to contact the departmental Leave Coordinator regarding a potential FMLA situation. The purpose for this is to have the employee and supervisor have direct contact with someone in the department who can assist them (initially) and for both parties (supervisor and department) to be aware of the potential absence.

Your role:

1. CFMLA Contact has created a form for an employee to request a consultation with our office. Departmental Leave Coordinator will assist in informing the employee to complete this form.
2. Departmental Leave Coordinator will continue to run the **All Worker Time Off** report (weekly) to check for possible FMLA situations and if yes, Departmental Leave Coordinator will contact the employee and direct them to the Consultation form.
3. Once CFMLA Contact has met with the employee, Departmental Leave Coordinator and the supervisor will be informed of the expected days of absence. Departmental Leave Coordinators are being informed so that leave entries are monitored (submission of both FMLA Time Off and leave usage). Will also need to be aware of other types of leave available to the employee if the employee does not have sufficient leave for the absence.
4. Employee will be informed to return all documentation to the CFMLA Contact and in turn, they will provide a copy of the documentation and the eligibility notice to file in the employee's confidential medical file. CFMLA contact office will NOT retain any paperwork.
5. CFMLA contact will work with the employee on the doctor's release to return to work. The employee will be informed that the doctor's release will need to be provided on or before the employee is scheduled to return to work. This document will be provided to the Departmental Leave Coordinator by the employee and retained in the employee's confidential medical file.

Department Leave Coordinators will have the responsibility to stay current on System leave policies including leave associated with FMLA.

NOTE: Departmental Leave Coordinator will need to ensure that during this absence, employee should NOT be working from home; any remote work will require approval and will need a doctor's release as to the work the employee will be able to perform and for how many hours per day. (CFMLA Contact will also stress this point during the consultation with the employee.)