



## FMLA PROCESS GUIDELINES FOR DEPARTMENTS & EMPLOYEES

### Step 1

**Department** becomes aware of employee absences for possible FMLA covered reason and contacts **Human Resources.**

~OR~

**Employee** contacts **HR or department** and advises of need to be off work for possible FMLA covered reasons.

### Step 2

**HR** determines if employee meets FMLA criteria

- Employed with the University at least 12 months (including prior service) and
- Worked with the University at least 1250 hours in last 12 months (**MAPP 02.03.02**)

An eligible employee must use all applicable accrued paid leave balances (including sick leave and vacation) while taking family and medical leave.

### Step 3

#### IF CRITERIA IS MET

- **HR** notifies dept/supervisor by email of employee eligibility and request for FMLA.
- **HR** requests dept/supervisor to identify any unique essential job functions for employee
- **HR** determines if employee has used any FMLA leave in the last 12 months
- **HR** determines FMLA start date and FMLA leave balance
- **HR** prepares FMLA initial criteria letter to employee attaching appropriate provider certification with essential job functions listed, as necessary. Attachments include:
  - Cover letter
  - FMLA initial criteria letter
  - Provider Certification
  - FMLA Rights
  - Release of Information form (HIPAA)
  - FMLA Notice of Eligibility, Rights & Responsibilities
- **HR** mails FMLA packet to employee (within 5 business days of notification, date absence began or request for leave)



## IF CRITERIA IS NOT MET

- **HR** prepares FMLA letter with reason for denial and mails to employee. (within 5 business days of notification, date absence began or request for leave)
- **Dept** may contact **HR** to discuss other options if FMLA is not available

## Step 4

**Employee** takes **Provider Certification** to medical professional and returns completed form to **HR** (within 15 calendar days from receipt of letter)

- If provider cert not received, **HR** sends FMLA decision letter to employee indicating need for provider certificate within 7 days.

## Step 5

**Employee** returns completed HIPAA Release of Information form to **HR**

## Step 6

**HR** reviews Provider Certification

## Step 7

**HR** sends FMLA Decision letter to employee, applicable section completed.

- Approved
- Need more info
- Denied

## Step 8

**HR** notifies **department** contact of approval/denial by email, includes FMLA begin date. The department is responsible to track the FMLA hours and informs HR as to when employee's accrued time runs out.

## Step 9

**Employee** should record FMLA absences on the application for leave form or notify their department's admin assistant of FMLA absences (Any absence related to FMLA covered condition should be charged to FMLA and leave time).

- **Dept** sends copy of FMLA tracking hours to **HR** periodically, at least once a month or after every pay period, as needed



- If **employee's accrued paid leave has exhausted, the department needs to submit a Delete PA** to HR to process. Start date on the Delete PA should be the first date the employee goes on unpaid leave status.

## Step 10

**Department** should notify **HR** of employee's Last Day Worked & Last Day Paid (these may differ depending on the employees available leave time).

- **Semi-monthly employees** should record paid leave time hours (if available) using Web Time Entry and notify **department administrator** prior to going on leave (if possible). **Department administrator** should enter hours into Web Time Entry as needed, if the employee is unable to do so.
- **Monthly employees** should record paid leave time hours (if available) in Web Time Entry and notify **department administrator** prior to going on leave (if possible). **Department administrator** should enter hours into Web Time Entry as needed, if the employee is unable to do so.
- **Employees** are only eligible to use leave time as accrued through last day worked.
  - **Employee** will continue to accrue leave time while on FMLA if it is a paid leave but cannot use this time until they return to work. (MAPP 02.03.02)
  - If an **employee** remains on leave of absence after all available leave time has been exhausted the leave will change to an Unpaid Leave of Absence. If **employee** has benefits he/she must arrange with **HR** to pay premiums while on unpaid leave.

## Step 11

Before an **employee** returns to work, the employee must obtain a medical release to return to work from his/her treating medical professional. The employee submits this release to **HR** prior to returning to work.

- **HR** reviews the Release to Return to Work.
- **HR** emails the **department** to notify the employee has been released to return to work and effective date.



## Step 12

If FMLA leave time is exhausted and **employee** needs to remain off work due to a continuing condition, the **employee** should discuss his/her need for additional leave with HR to discuss available options.

### Human Resource contacts:

Email: [HRbenefits@tsu.edu](mailto:HRbenefits@tsu.edu)

Human Resources Department: 713-313-7521