

FMLA Administration Checklist for Marquette University Supervisors

*** This is not a required form. The sole purpose of this form is informational. ***

To effectively administer the Family and Medical Leave Act (FMLA) to University employees, we ask that supervisors take part in an active role to ensure Employee Benefits is notified in a timely manner.

1. If the employee is on their 4th consecutive absence, they are required to apply for FMLA.
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2. Has the employee been employed greater than 6 months?

✓ Does the employee meet the eligibility requirements?

Yes

No

3. Section 825.302 of the FMLA regulations states, "An employee must provide the employer at least 30 days advance notice before FMLA leave is to begin if the need for the leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or of a family member. If 30 days notice is not practicable, such as because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable." FMLA regulations allows Human Resources to reserve the right to deny a portion of a foreseeable leave until proper documentation is provided. Proper documentation includes a *Leave of Absence Request Form*, completed by the employee and supervisor, and a *Medical Certification Form*, completed by the employee's doctor.

✓ What type of absence does the employee have?

foreseeable

unforeseeable

✓ If foreseeable, is the employee giving a 30 day notice?

Yes

No

4. The next section will help determine what type of leave the employee might be eligible for.

Does employee or family member have ongoing health care providers' appointments or absences for a chronic or ongoing condition that causes periods of incapacity? FMLA defines Family Member as a spouse, parent, or child under age 18 or adult child incapable of self care (as defined by ADA). Incapacity means being unable to work, attend school or perform normal daily activities. (See Section 825.115 of FMLA regulations for more information.)

Is Employee pregnant and does she have associated health care provider appointments? Is Employee pregnant and is she having absences associated with the pregnancy?

Is employee caring for a newborn child? Is Employee arranging for an adoption or foster child placement or caring for a newly placed adopted or foster child?

Is the employee or family member requesting FMLA for a military reason?

Is Employee specifically requesting FMLA without giving details?

5. Section five will discuss proper FMLA protocol if an employee on their 4th consecutive absence and is eligible for FMLA (step 2).

Step One: If foreseeable – Give the employee a *Leave of Absence Request Form* and *Medical Certification Form*.

If unforeseeable – Notify Employee Benefits of absence details. The employee will be contacted to complete *Leave of Absence Form* and *Medical Certification Form*. The employee will have 5 days after the receipt of these documents to return to Employee Benefits.

Step Two: Support Staff Only. Complete a Payroll time card worksheet, located on the Office of the Comptroller’s website, indicating all FMLA-related absences including days and/or hours.

Step Three: Upon the receipt of the documentation from the employee, Employee Benefits will produce a leave letter outlining the specifics of the employee’s leave of absence.

Step Five: Employee Benefits and the supervisors will communicate updates as they are available.

Step Six: The supervisor will call Emily Chardac at (414) 288-7496 when the employee returns to work. If the employee was on a medical leave of absence, they are **required** to have a *Return to Work Recommendations Form* completed by their doctor. If they do not have this form, they cannot work.

6. Paid options:

Support Staff: Accrued sick, vacation, and floating holiday pay. If unavailable, all or portion of the leave is unpaid.

Faculty: Short-term disability

Questions? Contact Us!

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