

## QUICK

### FMLA Reference Guide

#### Employee Eligibility

- Employees Must be able to meet **all three prongs** of the eligibility:
  1. Work for a covered employer - - - DMS meets this criteria
  2. Have worked at least 1,250 hours in the 12 months immediately preceding start of FMLA.
  3. Have at least 12 months of service with the employer (time worked for any state agency in State Personnel System is counted as same employer).

#### Serious Health Condition

- Employee may be covered if they meet one (1) of six (6) definitions of a serious health condition. The following may qualify an employee for coverage under FMLA
  1. Inpatient care
  2. Incapacity in excess of three (3) consecutive calendar days plus treatment \*\* see note below
  3. Pregnancy
  4. Chronic conditions
  5. Multiple treatments and long-term conditions
  6. Long-term conditions

\*\* Incapacity in excess of 3 consecutive calendar days plus treatment may be problematic. Some non-serious health conditions often meet that portion of the criteria. In order to qualify for FMLA leave under the "incapacity in excess of three days," prong, an employee must make 2 doctor's visits within 30 days - the first of which must be **within 7 days of the incapacity**. For chronic and long-term conditions to qualify as a serious health condition, an employee must visit the physician at least twice (2) a year. (example: asthma, migraines, IBS)

#### Medical Leave for Family or Service Member

- Human Resources will coordinate obtaining documentation with the employee.

#### Medical Certification

- HR Liaisons, supervisors or the employee will notify HR when there is a need to take medical leave. HR will work with the employee and medical provider if necessary to obtain medical certification. **Under no circumstances** are the HR Liaison, supervisor or manager to phone the employee's health care provider. **And under no circumstance will the supervisor, manager or HR Liaison keep the medical documentation or a copy of the documentation. All documents must be sent to Human Resources for filing in confidential medical file. Documents will not be sent via e-mail.**

#### Requesting FMLA & Timesheet Entry

- **Employee** will request FMLA on the People First System  
On employee's PF record, employee will go to the Time and Payroll dropdown menu  
Select FMLA/FSWP Leave Request  
Create and Save request.

**Supervisor** approves request by clicking on the Approvals dropdown menu and select Leave, OT & Other Approvals

After request has been approved by supervisor:

**Employee** Checks the FMLA/FSWP checkbox for the days and hours type that are FMLA/FSWP