



University Human Resources

www.ohio.edu/hr

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Family Medical Leave (FML) Quick Reference Guide

Requests and Approvals of Family Medical Leave

- The department/employee will send an FML request to uhr@ohio.edu.

The request should specify if it is for the employee or the care of a family member.

- The Employment Service Center (ESC) will then verify eligibility.
- Within 5 calendar days, ESC will email appropriate forms to the employee and the Supervisor, along with a brief description of [each form](#) and leave process (see below).
 - * *Facilities, Auxiliaries, Voinovich, Arts and Sciences have internal procedures for process flow.*
 - Information about the use of Paid Time Off during the leave (options and mandates for use of sick time, vacation time, etc.)
 - Information about the use of Unpaid Time Off during the leave, as applicable
 - FMLA #02- Information on employee rights under FMLA
 - FMLA#03A- FMLA eligibility form
 - FMLA #04, #05, or #06 (whichever is applicable)- Health Care Provider Certification for employee's own serious health condition, for serious illness of family member, or Adoption or Foster Care Certification
- The Supervisor is responsible for communicating the leave with internal department representatives, when necessary. *It is important to note that if the supervisor is made aware of the specific details or nature of the medical condition at hand, they should not disclose or discuss such details with anyone other than University Human Resources or official departmental FMLA delegates.*
- **The employee** is responsible for returning the paperwork to the ESC within 15 days.
- Within 5 business days of receipt of the certification, the ESC will email the employee and the Supervisor form FMLA #03B, FMLA#07 (Return to Work form) and any additional information pertaining to returning to work.

The FMLA #03B form will contain the following information:

- The FML request approval or denial
- The anticipated leave schedule (the hours, days, and/or weeks that someone will be out) for a continuous leave; **or**
- The anticipated frequency and duration of leave within a specified time frame for semi-predictable/intermittent leave (see section below for details regarding intermittent leave); **or**
- The approximate parameters of intermittent leave without a predictable frequency or duration (i.e., the employee may be required to provide daily life care activities for a family member).
- ***If the ESC has not received the appropriate paperwork within the 15 days, FMLA #03B will be returned within 5 days indicating that employee is not eligible for FML due to lack of appropriate documentation.***

**Ohio University retains the right to code time off as FML if there is sufficient information to designate the leave. In most cases, this designation will occur only when the employee is unable to complete paperwork.*

Intermittent Leave Usage

- FMLA may be taken intermittently or on a reduced leave schedule under certain circumstances. FMLA form #03B will provide the following:
 - The anticipated frequency and duration of leave within a specified time frame for semi-predictable/intermittent leave; **or**
 - The approximate parameters of intermittent leave without a predictable frequency or duration.
- Supervisors are responsible for alerting uhr@ohio.edu if an employee is absent more than what was indicated on the FMLA form #03B (if applicable) OR if there is a pattern of absences not specified in the certification (for example, an employee calls off on Mondays and Fridays consistently). Again, sometimes the approximate parameters of intermittent leave is without a predictable frequency.
 - If circumstances have changed significantly (the duration or frequency of the absence, the nature or severity of the illness, complications, etc.), the employer can seek recertification.
 - *Note that “one” absence over the frequency indicated in the medical certification does not constitute a significant enough change to trigger a recertification.
- Supervisors should refrain from discussing the frequency of leave with the employee.
- Employees are expected to follow department rules for reporting time off.

Return to Work

- Form FMLA#07 (Return to Work form) must be completed and returned via email, to the employee’s Supervisor and uhr@ohio.edu, prior to the end of their leave and return to work date. When possible, form FMLA#07 should be returned at least 3 business days prior to the return date.
 - The employee (Supervisor will be copied) will receive a response from the ESC within 1 business of receipt, via email, verifying that the documentation was received, and the employee can or cannot return based on the documentation.
 - If the documentation states that the employee has restrictions, the ESC will verify with the Supervisor that the restrictions can be accommodated in their area. If the restrictions can be accommodated, the email will also include the restrictions upon returning. In the case of unusual requests or with extenuating circumstances, the ESC will consult with the Office of Accessibility Service and Legal Affairs as necessary in consultation with the supervisor.
 - If the documentation states that the employee cannot return the follow may occur:
 - If FMLA is not exhausted; then the ESC will provide notice to the employee, via email, that they are not able to return to work until a new Return to Work form is completed indicating that the employee may return without any of the restrictions that previously prevented the return to work. The ESC will also alert the supervisor of the official extension of the leave.
 - If FMLA is exhausted; the ESC’s Records and Leaves manager will schedule a phone consultation with the employee to provide options for other types of leaves or disability benefits that may be available depending on employment type and other factors. Once a plan for next steps is established, the Records and Leaves manager will provide an update to the supervisor.

- If appropriate Return to Work documentation is not provided before the end of an approved leave the employee will not be permitted to return to work. In such cases, Records and Leaves Manager will consult with the supervisor, Legal Affairs and other offices as necessary to determine appropriate next steps.

Additional Notes:

- *The employee should consult with their supervisor prior to the beginning of leave, if reasonably possible, to discuss any outstanding work items or responsibilities that will need to be covered or attended to during the absence. Supervisors should exercise caution reaching out to employees during leave and only do so when they have specific questions about urgent operational needs that only the employee may answer. The supervisor should consult with their HR Liaison for guidance about communicating with employees during leave. When in doubt, reach out to your HR Liaison.*
- *Should the parameters or end dates of any approved leave change, it is the employee's responsibility to alert their supervisor as soon as reasonably practicable. The Supervisor should alert ubr@obio.edu with any changes to the dates of the documented leave.*

Reference:

[Policy 40.054: Family and Medical Leave](#)