

# STEP BY STEP GUIDE

## Family and Medical Leave (FMLA)

### Qualifying for FMLA

#### DO YOU QUALIFY FOR FMLA?

- ② Have you been employed at Baylor for at least 12 months?
  - ② Have you worked 1,250 hours in the previous 12 month period?
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- ③ If you answered '**yes**' to **both** questions, you qualify for FMLA

### Quick Facts

FMLA is **job-protected leave** for up to 12 workweeks in a 12 month period

Faculty or staff members on FMLA leave will **not** lose their position, suffer a demotion, or decrease in salary by using FMLA

Qualified faculty and staff may be granted up to **480 hours** off in a 12 month period

# Reasons to Use FMLA



## ADOPTION

Adoption of a child, and care for the adopted child within one year of placement



## BIRTH OR CARE FOR CHILD

Birth of a child, or care for a newborn within one year of birth



## FOSTER CARE

Placement of a child into foster care of a faculty or staff member's home



## CARE FOR A FAMILY MEMBER

Care for a qualifying family member with a serious health condition



## CARE FOR AN ACTIVE DUTY MILITARY MEMBER

Qualified spouse, child, or parent is a military member on covered active duty



## EXIGENCY LEAVE

Available to qualified employees with eligible family members in the Armed Forces

## INFORMATION ABOUT REQUESTING FMLA

### Care for a newborn or recently placed foster child:

- **30 day written notice** to the supervisor is required to determine the start of the leave period
- If notice is not foreseen, notify as soon as possible
- Notice from a health care provider is needed for care of a newborn

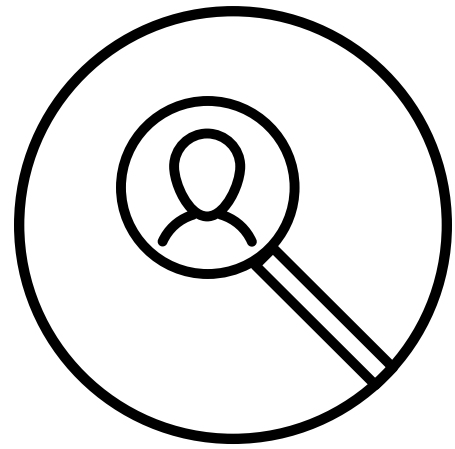
### Updates to supervisor:

- Provide update **every 30 days** regarding status and intent to return to work upon conclusion of leave
- A return-to-work certification from a healthcare provider is required

### Planned medical treatment or care for serious health condition:

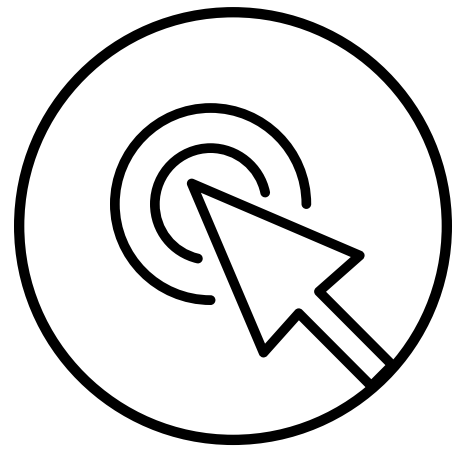
- **30 day written notice** to the supervisor is required to determine the start of the leave period, or minimally within 2 working days of learning of the need to take leave
- If caring for an eligible family member with a serious health condition, a health care provider's statement must be provided to the supervisor with an estimation for the amount of leave required for care

# Steps to Apply for FMLA



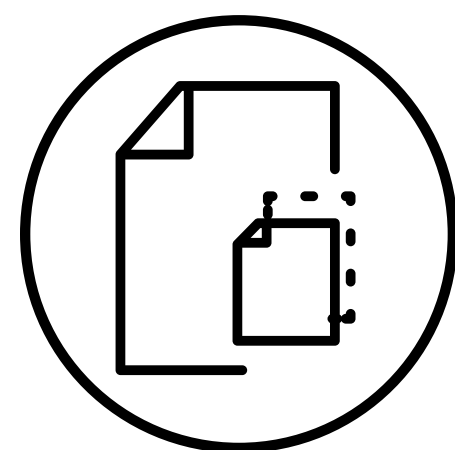
## STEP 1

- ✔ Read the [FMLA Policy](#).



## STEP 2

- ✔ Submit the [Employee Request for FMLA form](#) to supervisor.



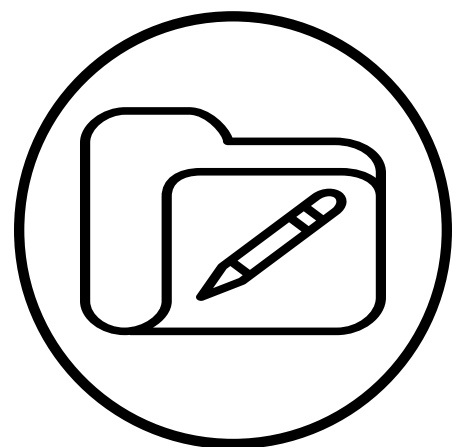
## STEP 3

- ✔ Provide the Health Care Provider(s) with a copy of Baylor's FMLA Policy and the [Certification of Health Care Provider Form for Employee](#) and/or the [Certification of Health Care Provider Form for Family Member](#).



## STEP 4

- ✔ The Health Care Provider(s) should return the completed Certification of Health Care Provider Form directly to Human Resources.



## STEP 5

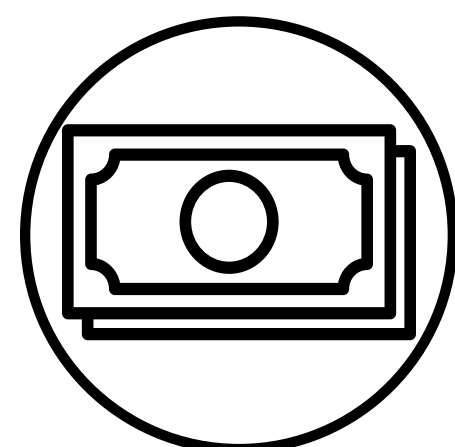
- ✔ Human Resources will review the FMLA Request Form and the Certification of Health Care Provider Form(s).



## STEP 6

- ✔ Human Resources will notify the faculty or staff member and their supervisor that their FMLA Request has either been approved or denied.

## If the FMLA has been approved:



## STEP 7

- ✔ Faculty members will be paid in accordance to their contract.

Staff members should review their leave accrual balances (sick, vacation, paid parental leave, paid caregiver leave) to determine if they have accrued enough time to cover the period of time they will be on FMLA.



## STEP 8

- ✔ While on FMLA, the faculty or staff member is responsible for providing periodic updates on their leave status to Human Resources. The frequency of the updates will be specified on the approval notification. Faculty and staff should record their FMLA leave through the Absence Module in IGNITE.
  - Faculty will request FMLA absences using the **FMLA-CONTRACT** absence type.

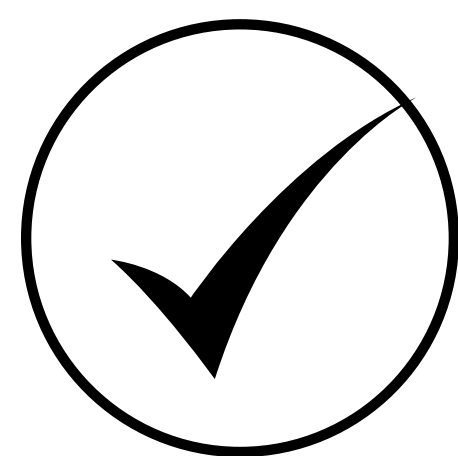




### STEP 8 - CONTINUED

- ✓ Faculty and staff should record their FMLA leave through the Absence Module in IGNITE.
  - For Staff, if they have been approved for Paid Parental or Paid Caregiver Leave to use while on FMLA, they should request their FMLA absences using the **Parental** or **Paid Caregiver** leave types. They do not need to enter a separate FMLA absence request when using paidparental or paid caregiver leave for their FMLA absences. IGNITE will automatically track their FMLA absence once the leave request is approved.
  - If the staff member has exhausted all of/or does not qualify for paid parental or paid caregiver leave, they should request their FMLA absences using the **FMLA-STAFF** leave type. IGNITE will automatically apply any available sick or vacation (in that order) leave to keep the staff member in a paid status.

### Prior to returning to work:



### STEP 9

- ✓ The faculty or staff member on FMLA will need to provide Human Resources with a statement from their Health Care Provider that specifies the date they will be released to return to work, and if applicable, the restrictions and duration of restrictions.

## Key Points about the Process

### DETERMINING FMLA TIME

Baylor reduces the amount of eligible FMLA granted by any previously used weeks in the prior 12 month period.

Faculty and staff granted FMLA must use available paid leave benefits: paid parental leave, paid caregiver leave, accrued sick and vacation, after which **remaining FMLA will be a non-compensated leave of absence.**

### NOTICE OF DECISION

Baylor will notify the faculty or staff member of the eligibility of FMLA leave within **five business days** after the FMLA Request and Action Form and Certification of Health Care Provider Form are reviewed.

## Recertification

### Lifetime Conditions

May be re-certified a minimum of **every six months**, or earlier if circumstances have changed

### Other Conditions

May be re-certified a minimum of **every 30 days**, or earlier if circumstances have changed

## INTERMITTENT SCHEDULING

FMLA may be taken intermittently when **medically necessary** for one's own, or an immediate family member's, **serious health condition**.

With approval from a supervisor, a birth mother may use reduced schedule and intermittent FMLA to transition back to a full-time schedule.

## WHEN BOTH SPOUSES WORK FOR BAYLOR

For spouses who work for the same employer, some FMLA-eligible reasons for leave are subject to a combined limitation.

Faculty and staff with spouses working for Baylor are limited to a **combined 12 weeks** for the following reasons:

- Birth of a child, and care for the newborn in the first year of life
- Placement of a child into foster care, or adoption of a child, and caring for placed child within one year
- Care for a parent with a serious health condition

## ADOPTION AND FOSTER CARE

A faculty or staff member may take FMLA **prior** to the adoption or placement of a child for adoption or foster care if required.

Employees may need to:

- attend court proceedings
- participate in counseling sessions
- complete a physical examination
- travel internationally to complete adoption

Documentation by the court is required for foster care of adoption cases.

## BENEFIT CONTRIBUTIONS

If faculty or staff elect to continue benefits while on FMLA leave, they will still be required to pay benefit contributions. If they elect to cancel benefits while on FMLA leave, they must notify HR.

After FMLA leave ends, the faculty or staff member has **30 days** to reinstate coverage.