SUPERVISOR'S FMLA CHECKLIST

Tracking and Reporting University Paid Time for FMLA Leave(s)

FMLA Overview:

During the FMLA leave, employees must remain in contact with their supervisor regarding their status as frequently as the supervisor deems appropriate and necessary under the circumstances. For employees on approved FMLA leaves that extend more than 30 days, such contact must be made at a minimum of every 30 days to supervisor and CareWorks USA. For absences due to Intermittent FMLA, employee must notify supervisor and CareWorks USA.

The University requires employees to use available paid sick, personal and vacation time **first** for their own serious health condition, to the extent available, before the leave becomes unpaid. Refer to chart below regarding all other FMLA leaves. Before an employee can return from a leave for their own serious health condition, the employee must present certification from their health care provider on the CareWorks USA *Return to Work/Work Release* form that they are fit-for-duty and able to return to work.

Required Forms For Approved FMLA Leave:

☐ **Verify eligible University paid time (sick/vacation) available for employee for corresponding unpaid FMLA leave**
- Refer to "Paid Time Required" chart below.

☐ **Report sick, personal and vacation time used to Payroll Services *weekly***

- **Exempt Salaried Staff**
  - Exempt staff sick time is tracked within the department.
  - To report vacation, please log on to MyTimeOff.nd.edu. Beginning July 1, 2013, this online tool replaces the Exempt Staff Vacation Report paper form for requesting, approving, and tracking leave requests for exempt employees.
- **Non-exempt Salaried Staff**
  - Report sick, personal, and vacation time used by completing the **Weekly Report of Absence and Overtime Form** and forward to Payroll weekly (in absence of employee, supervisor may sign for employee): http://controller.nd.edu/forms/absence_OT_form.xls
  - Use FMLA codes as applicable.
  - Make copies of Absence and Overtime forms for departmental tracking records.
- **Non-exempt Hourly Staff**
  - Report through Ultra-time.
  - Use FMLA codes as applicable.
- **Non-Faculty Researcher Staff**
  - Refer to benefits summary for Non-Faculty Researchers full-time http://hr.nd.edu/assets/89041/d_postdocresearch_bensum2013.pdf
  - All sick, personal and vacation time are tracked internally by the Office of Research/supervisor
  - Should you go unpaid at any point, please refer to the "Unpaid leave" section.
- ***Reporting Time for Birth of Child Leave (for Exempt and Non-Exempt)***
  - FMLA regulations allow for up to 12 weeks unpaid time depending on medical certification submitted.
  - University policy allows paid sick time (as available) while under physician's care.
  - Once employee is released from physician's care paid vacation time (as available) **must** be used. Any additional time up to the maximum of 12 weeks is unpaid.

☐ **Place employee on unpaid leave once sick and vacation time balances exhausted (if applicable)**

- Once a Exempt or Non-Exempt employee exhausts their sick and/or vacation time, complete a **Leave of Absence Form** to place the employee on unpaid leave. Forward form in a timely manner to the Office of Human Resources (for non-exempt employees, do not submit Absence and Overtime form once Leave of Absence form used): http://hr.nd.edu/assets/60818/leave_of_absence_form_2012.xls—

  (Please note: If Non-Exempt employee's unpaid leave time is less than 2 weeks before their return to work – use the Absence and Overtime Form to turn in unpaid time. Submit to Payroll Services)
- Make copies of Leave of Absence form for departmental tracking records.
- In the event an **overpayment** occurs, the employee will be responsible for repaying the overpayment. The supervisor/employee is responsible to work directly with Payroll Services.

☐ **Return employee on unpaid leave to paid status (if applicable)**

- Upon employee's return to work from an **unpaid** leave, complete a **Staff Personnel Action Form.** This form is required to change an employee's paid status in the university systems. Forward this form in a timely manner to the Office of Human Resources: http://hr.nd.edu/assets/20190/staff_paf10.xls

☐ **CareWorks USA Return to Work/Work Release form (required for full-time leave only)**

- In order for an employee to return to work from continuous full-time FMLA, the employee **must** present certification from their health care provider on the CareWorks USA *Return to Work/Work Release* form prior to returning to work.
- The employee faxes this form to CareWorks USA (888-436-9535).
- Supervisor works with employee and Office of Institutional Equity if any accommodations are needed.

Paid Time Required

Reason for leave	Sick	Personal	Vacation
Employee's Own Serious Health Condition	X	X*	X
Birth of a Child (Mother)	X **	X*	X
Adoption, Foster Care Placement, or Care for newborn (Mother)		X*	X
Adoption, Foster Care Placement, or Birth of a Child (Father)		X*	X
Serious Health Condition of Spouse, Child or Parent	X***	X*	X
Serious Health Condition of Covered Service Member in Military		X*	X
Workers' Compensation	Optional	Optional	Optional

* Personal Days can only be used if time is available in an employee's sick bank.
** Sick days until released to work by health care provider.
*** Five (5) days of accumulated sick leave is available for illness of immediate family member.

CareWorks USA Contact Information
5555 Glendon Court; Dublin, OH 43016
Hours: 8:00 am – 5:00 pm EST M–F | 24-Hour Voicemail Service
(Phone) 1-888-436-9530 | (Fax) 1-888-436-9535 | Web:

Human Resources FMLA Contact Information:
*ask*HR Customer Service Center
200 Grace Hall, Notre Dame, IN 46556
Phone: 574-631-5900 | Fax: 574-631-6790 | Email: askhr@nd.edu
Web: hr.nd.edu

Alissa Price, Disability Specialist
CareWorks USA - Absence Management
Direct: 614-789-3900
Toll free: 888-436-9530, x3900
Email Alissa.Price@CareWorks.com

Office of Institutional Equity (ADA Accommodation):
- Visit the Office of Institutional Equity webpage: http://equity.nd.edu/
- Cick the link "Individuals with Disabilities"
- Click "Employee Accommodation Process."
- Phone: 574-631-4588
- Email: kmille36@nd.edu