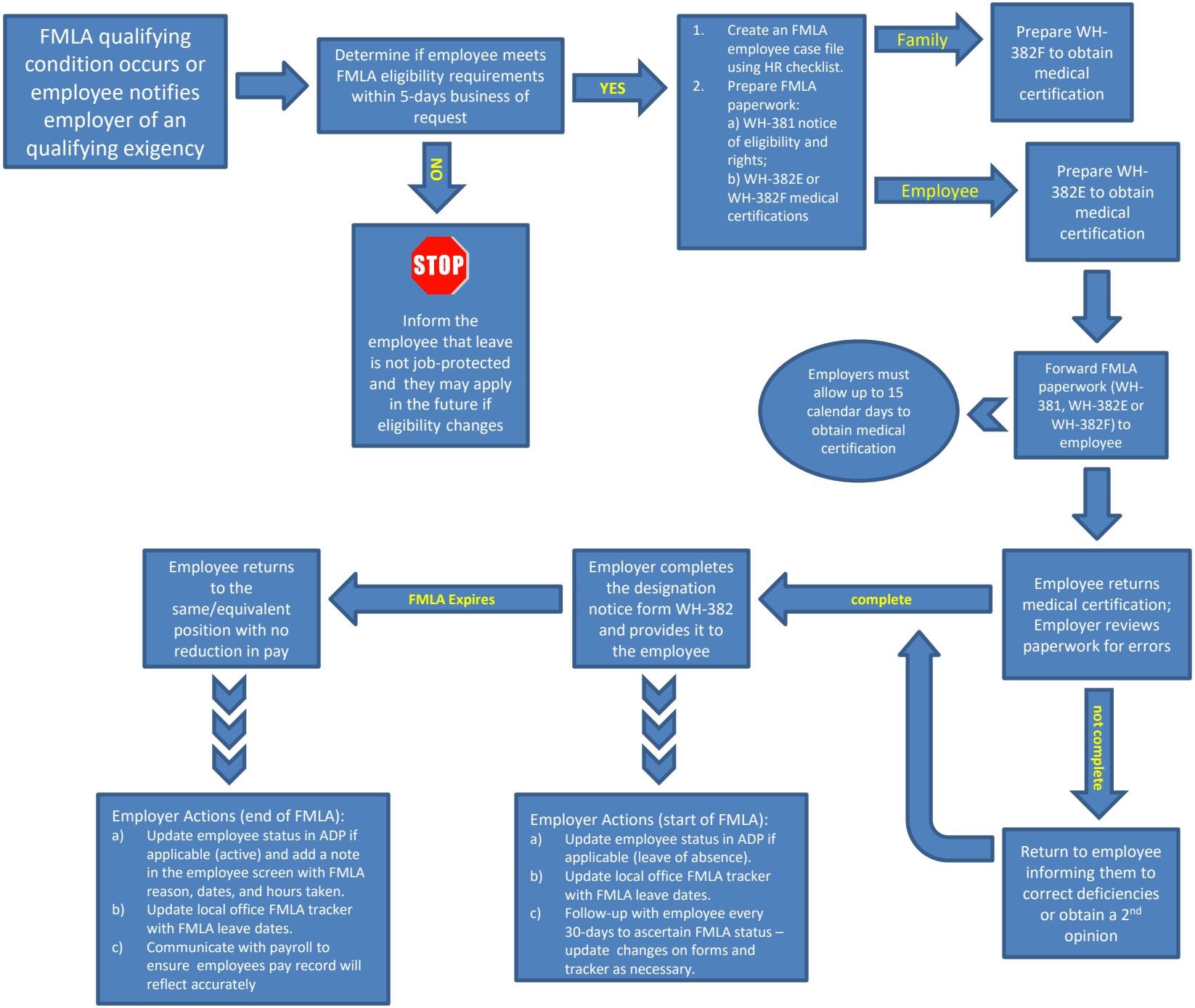
FMLA qualifying condition occurs or employee notifies employer of an qualifying exigency
Determine if employee meets FMLA eligibility requirements within 5-days business of request
YES
NO
STOP
Inform the employee that leave is not job-protected and they may apply in the future if eligibility changes
1. Create an FMLA employee case file using HR checklist.
2. Prepare FMLA paperwork:
a) WH-381 notice of eligibility and rights;
b) WH-382E or WH-382F medical certifications
Family
Prepare WH-382F to obtain medical certification
Employee
Prepare WH-382E to obtain medical certification
Forward FMLA paperwork (WH-381, WH-382E or WH-382F) to employee
Employers must allow up to 15 calendar days to obtain medical certification
Employee returns medical certification; Employer reviews paperwork for errors
not complete
Return to employee informing them to correct deficiencies or obtain a 2nd opinion
complete
Employer completes the designation notice form WH-382 and provides it to the employee
FMLA Expires
Employee returns to the same/equivalent position with no reduction in pay
Employer Actions (start of FMLA):
a) Update employee status in ADP if applicable (leave of absence).
b) Update local office FMLA tracker with FMLA leave dates.
c) Follow-up with employee every 30-days to ascertain FMLA status – update changes on forms and tracker as necessary.
Employer Actions (end of FMLA):
a) Update employee status in ADP if applicable (active) and add a note in the employee screen with FMLA reason, dates, and hours taken.
b) Update local office FMLA tracker with FMLA leave dates.
c) Communicate with payroll to ensure employees pay record will reflect accurately