



## Family Medical Leave Act - FAQ for Managers

Find answers to frequently asked questions about the Family Medical Leave Act, short term disability, and FMLA administration. This document is not intended to catch all questions that you may have. If you have specific questions, please contact the HR Leave Management team at [hr.leaves@uttyler.edu](mailto:hr.leaves@uttyler.edu).

**1. How can employees request time off based on FMLA guidelines?**

Employees notify their manager as soon as possible when their serious health condition or the serious health condition of their immediate family member causes them to be absent from work, even if their absence is only for a brief period. They or their manager must submit a [Request for FMLA](#) form 30 to 45 days prior to the date the leave begins.

**2. Does an employee have to submit a doctor's note after every absence?**

No. The employee is required to submit medical documentation (i.e.: doctor's note) for an extended sick leave absence, which is a continuous, medically related absence of more than three working days.

**3. Should I accept doctor's notes?**

Ask the employee to send the doctor's note directly to HR Leaves. Managers should not accept or save doctor's notes. Doctor's notes should be sent directly to HR. Email them to [hr.leaves@uttyler.edu](mailto:hr.leaves@uttyler.edu).

**4. Is it ok for me to contact their doctor?**

Managers should never contact an employee's doctor for any reason.

**5. My employee keeps telling me they are taking FML, but I haven't seen any documentation. How will I know if my employee is eligible for FML?**

Once the request and medical certification have been received by HR, the manager will receive an email from HR explaining dates for a continuous leave and duration and time for intermittent leave. If notification email is not received, contact HR as soon as possible.

**6. Does my employee get (2) FMLA periods if they have (2) separate illnesses?**

No, employees are limited to (1) 12-week period per year. The exception to this is if the employee is eligible for Military Caregiver Leave.

**7. How do I manage an employee who is out every Friday and every holiday for intermittent FMLA (IFMLA)?**

Contact HR to discuss your concerns.

**8. My employee calls in for IFMLA regularly 10 minutes before her shift starts. What can I do?**

Contact HR to discuss your concerns. They can review medical certification and determine if this should be expected or research the issue further. It may also be necessary to obtain updated medical information from the employee's physician.

**9. Does FMLA cover mental conditions?**

Yes, it can. For purposes of FMLA, a serious health condition may be physical or mental. This could include depression, anxiety, PTSD, etc. As with any medical condition, an employee may be entitled to take FML for a mental condition on an intermittent or reduced schedule as medically necessary. HR will request certification to support the need for leave for any condition, including mental ones.

**10. Is time off taken under the FMLA paid?**

No, time off taken under the guidelines of the FMLA is unpaid. However, the employee is required to use their sick, vacation, and other eligible paid leave accruals during approved FML before going to unpaid status. If the employee has elected short-term or long-term disability, this can be used after sick leave has been exhausted on FMLA. The employee must contact BCBSTX Customer Service at 1-866-628-2606 to file a claim. Other leave options include utilizing the [Sick Leave Pool](#), [Family Leave Pool](#), and [Sick Leave Direct Donation](#).

**11. Can I call my employee while they are out on FML?**

It is the employee's responsibility to ensure that they are regularly checking in with their manager. However, it is appropriate to contact your employee while they are out on FML for periodic updates on status and intent to return to work.

**12. As the manager, can I ask the employee to perform official business while on FML?**

An employee out on FML leave should enjoy their FMLA rights (i.e.: not interfered with) and not be asked to perform work while on leave.

**13. What is the manager's responsibility after time off under FMLA guidelines has been approved?**

Managers and HR must maintain two-way communication.

**14. Can I deny my employee's request for time off under the FMLA?**

No. If the employee is eligible and approved for FML, they must be able to take the leave.

**15. My employee has been out unexpectedly for a week. Is this covered by FMLA?**

Maybe. Supervisors must be able to recognize FMLA qualifying reasons for leave and properly initiate the required notifications. **If your employee will be out for over three consecutive days, they must be advised of their rights under FMLA.** Managers should contact HR immediately upon notice that your employee will be out for FMLA-related absences.

**16. Must I allow an employee an extension of leave beyond the requirements of FMLA?**

There may be instances where it could be reasonable to extend a leave of absence after an employee has used all the allowable time under the FMLA. Contact HR if your employee will need an extension.

**17. Can I discipline an employee who is on FMLA leave?**

You may discipline an employee who is on FMLA leave for any legitimate reason that is not related to the FMLA leave. For instance, you may discipline an employee if they fail to follow proper call-in procedures for reporting absences. In this situation, consult with HR before taking any action. You cannot discipline an employee simply for taking FMLA leave, or otherwise retaliate against an employee for taking FMLA leave.

**18. What happens if the employee does not complete the paperwork for FMLA coverage?**

FMLA leave could be delayed or denied if the employee does not complete the necessary paperwork.

**19. An employee would like to save their paid leave for another situation. Can FMLA be unpaid?**

No. If an employee has any sick, vacation, and/or eligible paid leave available, they will be paid from those balances before going into an unpaid status.

**20. Need additional resources?**

HR webpage for information on leaves, <https://www.uttyler.edu/human-resources/employees/leave/>.