

FMLA Frequently Asked Questions (FAQ)

What is FMLA?

- A federal law that allows job protection when employees need time off.
- Helps employees balance family needs with work schedules to take care of critical life events without losing their employment or health insurance coverage.

What is Provided

- Allow eligible employees to receive up to 12 weeks of leave in a rolling twelve-month period.
- Allows eligible employees to receive up to 26 weeks to care for an injured service member.

Qualifying Leave Events

- Birth, adoption or foster care placement of a child.
- Employee's own serious health condition.
- Caring for a spouse, child, or parent with serious health condition.
- Caring for a spouse, child, parent or next of kin servicemember injured while on active duty.

Eligibility Requirements

- Worked for your employer for at least 12 months.
- Must have worked for 1,250 hours in the past 12 months before the leave starts. (employees' total hours are combined to assess for the 1,250 hours requirement)

Employee Responsibilities

- Notify your employer you have a need for leave. (Basic information only)
- If an employee works at multiple locations be sure to copy them on your leave request email and keep them informed. The LOA Benefits team will reply email to those locations on the leave request.
- Employee needing leave should contact the LOA benefits team at loa@archstl.org.
- Give 30 days' notice (if possible).
- Employees on intermittent FMLA are responsible for reporting to employer if each absence is for FMLA.

Employer Responsibilities

- Keep employee's health insurance active.
- Return employee to:
 - Same Job or
 - Similar job (same pay/benefits)
- The employer is responsible for tracking both block and intermittent leave.
- Must report to payroll if the employee goes into unpaid status.
- At the end of each month, report the FMLA hours used that month to the LOA Benefits team for tracking purposes utilized during employees' intermittent leave.

LOA Benefits Team Responsibilities

- Verify employee meets the eligibility requirements and/or approve or deny leave.
- Provide employee with Department of Labor Notice of Eligibility & Rights and Responsibilities under FMLA.
- Provide employees with Department of Labor Certification of Health Care Provider Form under FMLA.
- Will draft a leave calendar for the employer. However, it is the employer's responsibility to update payroll for PTO and unpaid time.

Types of FMLA Leave

- Continuous leave is taken in an uninterrupted period of time.
- Intermittent leave is taken in blocks of time (can be a few hours or days off periodically for ongoing medical situation but works between absences).

Actions Prohibited by FMLA

- Not offering FMLA to employees who meet the eligibility requirements.
- Ask about need for FMLA during the hiring process.
- Asking for doctor's note for each use of intermittent leave.
- Interfering with an employee's rights under FMLA
- Retaliate against employees who exercise their FMLA rights or file FMLA complaints.
- Change employee's benefits premium during FMLA leave (Unless leave happens during the change in fiscal year).
- Require employees to work during FMLA leave (answer calls, emails, attend meetings or conferences etc).