
Employee Obligations and Responsibilities

The employee must provide the employer a notice of intent to take leave 30 days before the leave starts. If the need for leave is not foreseeable the employee shall provide notice within a reasonable period of time appropriate to the circumstances involved.

The employee must complete the

- Application for Leave Under the Family and Medical Leave Act

The Health Provider must complete the

- Certification of Physician or Practitioner Form

These forms must be completed and submitted to the employee's immediate manager and then forwarded to the Operation Manager for approval.

NOTE: IT IS THE RESPONSIBILITY OF THE EMPLOYEE TO SECURE ACCURATE AND COMPLETE INFORMATION ON THE CERTIFICATION FORM WH 380 FROM THE MEDICAL PROVIDER.

LEAVE MAY BE DENIED IF ALL REQUIREMENTS ARE NOT MET.

ALL INFORMATION SUBMITTED FOR A DETERMINATION WILL BE KEPT CONFIDENTIAL.



FMLA/FFLA Committee Members:

Sylvia Covson *
Ed Cowan +
Pat Fields
Don Goodman
Emma Robinson
Sidney Thurman
Michelle Lancaster #

* Chair
+ Co-chair
Facilitator



Department of Treasury
Internal Revenue Service

publish.no.irs.gov

Document 11925 (01-2003)
Catalog Number 35119E

FMLA FFLA

Family Medical Leave Act Family Friendly Leave Act



MIRSC Campus

Employee Rights and Responsibilities Under The Family Medical & Family Friendly Leave Acts (FMLA/FFLA)

What is the Family Medical Leave Act (FMLA)?

The Family Medical Leave Act (FMLA) is the Title II statute of law established to provide eligible Federal Employees with leave for specific instances of family care.

Purpose

The Family Medical Leave Act (FMLA) entitles employees to a total of 12 administrative workweeks of unpaid leave during any 12-month period for certain family and medical needs as follows:

- Birth and/or care of a son or daughter.
- Placement of a child with an employee for adoption or foster care.
- Care of a spouse, son, daughter, or parent who has a serious health condition.
- Employee who has a serious health condition and is unable to perform the duties of the position.

Entitlements

Full-time employees may receive up to 12 weeks of Leave Without Pay (LWOP) during any 12-month period. Certain types of paid leave such as sick or annual may be substituted for all or part of the unpaid leave.

Seasonal employees may receive a prorated number of hours based on the hours in their regularly scheduled tour of duty.

An employee may qualify for advanced sick/annual leave per agency policy.

Leave may also be made available to an employee under the Voluntary Leave Bank program as is consistent with agency policy.

An employee shall notify the agency of his or her intent to substitute paid leave for the period of leave without pay to be taken prior to the date such paid leave commences. An employee may not retroactively substitute paid leave for leave without pay previously taken.

Leave may be taken intermittently or on a reduced leave schedule only when medically necessary. Intermittent leave for birth or adoption requires employee/employer agreement.

Eligibility Requirements

An employee must have 12 months of service to be eligible. The employee must also have completed the probationary period. Seasonal employees with time limits of less than 1 year and intermittent employees are not eligible for FMLA.

Employees Maintain the Following Benefits

- The right to return to the same or an equivalent position (in most instances).
- The same appointment.
- Health insurance benefits maintained.
- The employee is responsible to pay his/her share.

Family Friendly Leave Act (FFLA)

Under the Federal Employees Family Friendly Leave Act, Federal Employees may use up to 104 hours of sick leave each year to care for a family member or to arrange for or attend the funeral of a family member.

Full-time employees may use 40 hours of sick leave for these purposes without regard to their current sick leave balance. An additional 64 hours may be used if the employee maintains a balance of at least 80 hours of sick leave in his or her leave account.

In addition, Federal employees may use their sick leave for purposes related to the adoption of a child.

Employees may request advance annual or sick leave or leave without pay from their agencies for these purposes.

Federal employees are entitled to use 7 days of paid leave each calendar year (in addition to annual or sick leave) to serve as a bone-marrow or organ donor.