Requesting Family Medical Leave
Checklist for Staff and Hourly Employees

This information is a general summary of the steps to follow when requesting family medical leave (FMLA). At least a 30-day advance notice of the need for FMLA must be provided. If a 30-day notice is not possible, notice should be provided as soon as practicable; generally, the same day or next business day.

☐ Step 1 – Determine Eligibility for FMLA

Both of the following requirements must be met:

☐ You have worked for IU at least 12 months
  • Employment does not have to be continuous.
  • If a break in service exceeds seven years, the period of employment prior to the break is not counted.

☐ You have worked 1,250 hours in the 12 months immediately preceding the need for the leave
  • These are actual work hours not including time off with or without pay.

☐ Step 2 – Determine Qualifying Reason for FMLA

FMLA must be due to one of the following reasons:

☐ Birth of a child and to care for the newborn child
☐ Placement of a child through adoption or foster care
☐ To care for the employee’s
  ☐ spouse/same-sex domestic partner
  ☐ child/child of the same-sex domestic partner
  ☐ parent
  
  who has a serious health condition

  If leave is for a child, the child is ____ years old.

☐ Employee’s serious health condition
☐ To care for the employee’s
  ☐ spouse/same-sex domestic partner
  ☐ child/child of the same-sex domestic partner
  ☐ parent
  ☐ next of kin
  
  who is a covered service member with a serious injury or illness incurred in the line of duty

☐ A qualifying exigency arising out of the employee’s
  ☐ spouse/same-sex domestic partner
  ☐ child/child of the same-sex domestic partner
  ☐ parent
  
  who is a covered service member on active duty in support of a contingency operation
**Step 3 – Initiate a Request for FMLA**

Complete Sections 1 and 2 of the Notice of Designation, Request, and Approval Form (FMLA Form #1). Within 5 business days of receipt of FMLA Form #1, your department is to notify you if eligibility and qualifying reason requirements are met, and you will be notified if your FMLA is 1) approved, 2) denied, or 3) if additional information is necessary before the leave can be approved. If eligibility requirements are not met, proceed to Step 8.

☐ Your leave will be approved if:

- the leave request is for the birth or placement of a child, and you meet the eligibility requirements. Proceed to Step 6.
- the leave request is for a serious health condition, you meet the eligibility requirements, and complete and sufficient medical certification is provided. Proceed to Step 6.
- the leave request is for a qualifying exigency or military caregiver leave, you meet the eligibility requirements, and complete and appropriate certification is provided. Proceed to Step 6.

☐ Your leave will be denied:

- if you do not meet eligibility requirements, did not provide medical certification, have already used 12 weeks of FMLA, or the leave request does not qualify for FMLA. Proceed to Step 9.

☐ Additional information will be requested:

- if the leave is for a serious health condition, a qualifying exigency, or military caregiver leave and complete and sufficient certification is needed. Proceed to Step 4.

**Step 4 – Provide Medical Certification**

If your FMLA request is for a serious health condition, you will be required to provide medical certification.

- If the leave request is for your serious health condition, you will receive:
  - A copy of FMLA Form 1 with the request for medical certification and the return due date
  - FMLA Form 2E, Medical Certification for Employee with Section 2 completed
  - A copy of your essential job functions
  - FMLA Form 3, Intent to Return and Fitness for Duty/Medical Release

- If the leave request is for your spouse, child or parent’s serious health condition, you will receive:
  - A copy of FMLA Form 1 with the request for medical certification and the return due date
  - FMLA Form 2F, Medical Certification for Family

- If the leave request is for a qualifying exigency or military caregiver leave, you will receive:
  - A copy of FMLA Form 1 with the request for certification and the return due date
  - DOL Form WH-384, Certification of Qualifying Exigency for Military Family Leave or
  - DOL Form WH-385, Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave
**Step 5 – Receive Disposition of FMLA Request**

Once the appropriate completed certification form is returned, within five business days of receipt you will be notified that:

- Your FMLA has been approved.
- Additional information is needed on the certification form.
- Clarification/authentication of the certification will be required.
- A second opinion will be required.

**Step 6 – Use of FMLA Time**

Following the approval of FMLA leave:

- Follow your department’s call-in procedure when reporting absences due to FMLA and state the specific reason for the absence
- Consult with your supervisor and make a reasonable effort to schedule leave for planned medical treatment (appointments, etc.) so it does not disrupt the department’s operations
- You will be required to use paid-time-off accruals before any unpaid time can be taken
- If you will be in unpaid status for more than 30 calendar days, contact human resources to make arrangements for continuation of your healthcare benefits
- Keep track of FMLA leave taken on the FMLA Tracking Sheet, and if necessary request the number of FMLA hours used from your supervisor
- You may be required to provide periodic recertification supporting the need for continued FMLA leave

**Step 7 – Prepare to Return to Work**

- If the FMLA leave is for your serious health condition, FMLA Form 3, Intent to Return and Fitness for Duty/Medical Release, must be completed by your the health care provider before you return to work.
- If you will not be returning to work as indicated on Section 2 of FMLA Form 3, notify your supervisor of your decision.

**Step 8 – FMLA Request Denied**

- If you do not meet eligibility requirements, did not provide medical certification, have already used 12 weeks of FMLA, or the leave request does not qualify for FMLA, your FMLA request will be denied.
- Consult university policy to determine if a discretionary leave of absence is an option available to you.