

## Supervisor's Guide to Managing FMLA

The purpose of this Guide is to assist Supervisors with understanding and managing FMLA leave for direct reports. It is meant to be a reference tool. Additional information is available in the Handbook policies and procedures cited herein, or the resources listed below.

### Supervisors should:

- Familiarize yourself with the following Handbook policies and procedures:
  - [EMP-256 Family and Medical Leave Act \(FMLA\)](#)
  - [EMP-256P-01 Managing Family and Medical Leave](#)
  - [EMP-253 Sick Leave Policy](#)
- Understand general reasons in which FMLA would potentially qualify:
  - **Childbirth, adoption, or foster care placement (both parents)**
  - **Serious health condition (self, spouse, parent, or child)**
    - Inpatient care
    - Period of incapacity of more than 3 calendar days (not shifts or workdays)
    - Incapacity due to pregnancy or for prenatal care, or to care for a spouse who is incapacitated due to pregnancy
    - Permanent or long-term conditions
    - Ongoing treatment for a condition which, if untreated, would result in incapacity of more than 3 calendar days
  - **Care for a covered military/veteran family member or for certain deployments**

### When an employee requests FMLA leave OR you become aware FMLA leave may be needed:

1. Notify the employee of their [FMLA rights](#) and provide them with the [FMLA Request Form](#). Remember: employees do not need to specifically mention "FMLA".
2. Confirm the employee's current contact information and complete the department section of the FMLA Request Form, including verification of the 1,250 hours worked, and immediately fax to Leave Administration at 469-694-8424.  
**\* NOTE:** If the employee is unavailable to complete the FMLA Request Form, you must submit the request on the employee's behalf, noting "unavailable to sign".
3. While a request is pending with Leave Administration but prior to any approval/denial:
  - (a) Employees must follow any usual notice or call-in procedures, if they are applied consistently to everyone within the working unit, absent unusual circumstances (e.g., emergency medical care).
  - (b) Time should not be recorded as "FMLA" in myTime, HCM or departmental records unless and until the FMLA leave has actually been approved by Leave Administration.
4. Supervisors identified in the "Reports To" field of PeopleSoft HCM will receive all FMLA email notifications – for documents received, deadlines/extensions, eligibility notices, and determinations. For help with updating "Reports To" information, email [servicedesk@utsouthwestern.edu](mailto:servicedesk@utsouthwestern.edu).

5. When a supervisor receives a copy of the email determination from Leave Administration:
  - (a) If the FMLA request is denied, time away should be tracked in myTime in accordance with all applicable leave and time and attendance policies (sick, vacation, unpaid).
  - (b) If the FMLA request is approved, review the dates and type of leave approved (e.g., block, intermittent, reduced schedule), track the FMLA leave in myTime appropriately based on the approval with the employee's applicable paid leave accruals (C-Sick FMLA or C-Vacation FMLA). For questions, contact Leave Administration at 214-648-9840 or via [email](#).

**During approved FMLA leave:**

1. FMLA leave is unpaid. Employees must use any available and applicable paid leave accruals (sick, vacation, holiday) concurrently with FMLA leave. The only exception is noted below. Departments are responsible for appropriately applying paid leave accruals in myTime, in accordance with the applicable leave policy for the approved FMLA leave. Supervisors should review the employee's eligible paid leave accruals and inform the employee of available balances.
  - (a) EXCEPTION: Employees receiving disability benefits (short or long term), or Workers' Compensation income benefits are not required to use accruals; however, they may choose to do so. Insurance carriers may have other requirements (e.g., exhausting paid sick leave first). If this exception applies and the employee elects not to use paid leave accruals the department will need to send an email to [HRIS Service Center](#) to have the employee placed on non-paid leave, and continue to use the appropriate accrual leave code (Vacation or Sick) in myTime with the note "**Leave Approved by Leave Admin**" for the applicable leave period.
2. Immediately notify the department administrator or timekeeper that the employee has been approved for FMLA leave and must use applicable paid leave accruals (unless above exception applies) which should be entered in myTime using the appropriate leave code (C-Vacation FMLA or C-Sick FMLA) for the applicable leave period.
3. If an employee exhausts available, applicable paid leave accruals but has approved FMLA leave remaining, notify the employee, have them placed on non-paid leave by sending an email to [HRIS Service Center](#) and continue entering the appropriate leave code (Vacation or Sick) with the note "**Leave Approved by Leave Admin**" during the FMLA approved absence period.
4. Communicate with the employee about leave, planned return to work date, scheduled appointments, status of projects, or other issues related to the business needs of the unit.
5. Supervisors should inform employees that they cannot perform any work while on FMLA leave, including working from home or checking work emails. A request to work from home due to the employee's own medical condition may be a request for an accommodation due to disability and should be immediately referred to The Office for Access & Title IX 214-648-3694 or via [email](#). See the policy at [ETH-152 Reasonable Accommodations for Qualified Applicants and Employees](#). Employees should submit requests by using the online portal [Employee ADA - Requesting an Accommodation Due to Disability](#).

### **Tracking approved FMLA leave:**

1. Supervisors should review the FMLA approval email sent from Leave Administration to confirm dates and frequency of FMLA leave. If the employee has absences/tardies outside of the approval, immediately notify Leave Administration via [email](#) or call 214-648-9840. Absences/Tardies due to approved FMLA qualifying reasons should be tracked using the employee's applicable paid leave accruals (C-Sick FMLA or C-Vacation FMLA) and do not count towards attendance violation; however, employees must follow the department's time and attendance and call-in procedures for intermittent FMLA absences, absent unusual circumstances (e.g., receiving emergency care).
2. Ensure accurate recording of all approved FMLA time in myTime by using the appropriate leave code (C-Vacation FMLA or C-Sick FMLA) for the applicable leave period.
  - (a) FMLA hours are always tracked, but only actual time used should be recorded.
  - (b) FMLA must be tracked in increments no greater than the shortest period of time utilized for other forms of leave (e.g., if you track sick leave in increments of 0.25, FMLA leave is also 0.25).
3. Tracking intermittent/reduced schedule leave:
  - (a) Ensure the employee completes the online [Intermittent/Reduced Schedule FMLA Time Tracking Report](#) and submits the form to Leave Administration at the end of each pay cycle in which approved intermittent or reduced schedule FMLA leave is used (not a continuous block of time).
  - (b) Leave Administration will review the information submitted on the form and:
    - i. Confirm the dates/hours the employee used intermittent/reduced schedule FMLA leave fall within the approval parameters of the leave.
    - ii. Issue an approval/denial for each reported FMLA usage.
    - iii. Send confirmation email to the employee and department with summary of reported FMLA usage and approval/denial for each usage. (NOTE: Departments should contact Leave Administration via [email](#) or phone at 214-648-9840 if the FMLA usage dates reported by the employee differ from department records.)
  - (c) If the employee is unavailable, the supervisor should submit the online [Intermittent/Reduced Schedule FMLA Time Tracking Report](#) on the employee's behalf, noting "unavailable to submit" in the comments section. The employee will receive an electronic copy.

### **Returning from approved FMLA leave:**

1. If FMLA leave is for the employee's own serious health condition as a continual block of time, confirm the required Return to Work notice (RTW) has been received by Leave Administration before the employee is allowed return to work. If you receive the RTW, immediately send it to Leave Administration via fax at 469-694-8424.
2. If the RTW suggests modifications to job duties, schedule, or the work environment, this may be a request for accommodation due to disability and should also be submitted to The Office for Access & Title IX. See the policy at [ETH-152 Reasonable Accommodations for Qualified Applicants and Employees](#).

3. A RTW is not required for:
  - (a) Intermittent leave
  - (b) Pregnancy, prenatal care or for the birth or placement of a child, adoption, or foster care, unless related to a serious health condition arising from pregnancy or childbirth.\*
  - (c) Leave to care for a family member or covered service member or military exigency.\*

\*For these types of leave, employees should provide their return to work date to Leave Administration via [email](#) prior to their actual return.

### **What can I say to the employee?**

Most importantly, be a facilitator:

1. Remind the employee to timely submit all required forms to Leave Administration via fax at 469-694-8424.
2. Ensure the employee understands they remain subject to all departmental and UTSW policies.
3. Confirm the status of pending work assignments.
4. Ask about the expected return to work date or scheduled appointments for medical treatment.
5. Remind the employee to immediately advise you and Leave Administration if there is a change in leave status (e.g., if more or less leave is needed).
6. Remind the employee to submit a RTW (self-care) or to notify Leave Administration via [email](#) of their return date (pregnancy/birth/child placement, family member or military).
7. When the employee calls in, inquire whether the absence is related to their FMLA approved reason or another reason, so you can track the leave appropriately in the employee's record.

### **What should I avoid?**

1. Invasive or insensitive questions about a specific diagnosis, treatment plan, prescriptions, or any medical information. (e.g., "How sick are you?" or "What kind of medication are you taking?")
2. Comments or questions that may be considered as discouraging taking FMLA or as retaliatory or discriminatory. (e.g., "Your leave is burdensome on the department." or "If you're not back by next week, you won't be eligible for a promotion.")
3. NEVER contact the employee or family member's health care provider directly.

### **Final reminders:**

Contact Leave Administration at 214-648-9840 or via [email](#) when there is:

- A change in an employee's leave status or dates of leave taken or requested.
- A change in the employee's anticipated return to work date.
- Intermittent leave usage exceeding what has been approved.
- Questions about FMLA policies and procedures, tracking or for general support or advice.

**Leave Administration**  
**Phone: 214-648-9840 Fax: 469-694-8424**  
**Email: [leaveadministration@utsouthwestern.edu](mailto:leaveadministration@utsouthwestern.edu)**

**Leave Administration FMLA intranet page**

<https://www.utsouthwestern.edu/employees/hr-resources/time-away/leave/family/>

**Department of Labor Employee Guide to FMLA**

<https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/employeeguide.pdf>

**FMLA Training**

Classroom and/or online FMLA training sessions are available for supervisors and/or department administrators. Sign up is available through [Taleo](#).

**Payroll, Timekeeping, myTime and PeopleSoft HCM**

Departments are responsible for applying paid leave accruals. Questions regarding pay should be directed to the department timekeeper, or Payroll at 214-648-0800 or via email at [PayrollUTSW@utsouthwestern.edu](mailto:PayrollUTSW@utsouthwestern.edu). Questions related to myTime should be addressed to [MyTime@utsouthwestern.edu](mailto:MyTime@utsouthwestern.edu). Technical questions related to PeopleSoft HCM should be addressed to [ServiceDesk@UTSouthwestern.edu](mailto:ServiceDesk@UTSouthwestern.edu) or 214-648-7600.

**Non-Paid Leave**

For assistance with placing an employee on non-paid leave and returning them from non-paid leave, please send an email to the [HRIS Service Center](#).

**Employee Relations**

Questions regarding policies, administrative separation, and termination should be addressed to each department's assigned [Employee Relations Representative](#).

**Americans with Disabilities Act**

Questions regarding disability accommodations should be directed to The Office for Access & Title IX at 214-648-3694 or via [email](#).

**Short and/or Long-Term Disability Insurance**

Questions regarding Short and/or Long-Term Disability insurance should be addressed to Blue Cross Blue Shield of Texas at 1-866-628-2606, or Employee Benefits at 214-648-9830 or via [email](#). All other employee benefits and/or insurance questions should be addressed to Employee Benefits.

**Workers' Compensation Insurance**

Questions regarding workers' compensation should be directed to the Office of Safety and Business Continuity at 214-648-2250 or via [email](#).

**Employee Support Line (formerly EAP)**

Are you or a family member having personal problems at home or at work? Get help now by calling the 24/7 Employee Support Line powered by Headspace at (855) 420-0734 for zero cost, confidential crisis assistance from a work life specialist who will speak privately with you about topics such as:

- Depression
- Rape Crisis
- Eating Disorders
- Grief and Loss
- Suicidal Thoughts
- Substance Abuse
- Domestic Violence
- Anger Management
- Anxiety/Stress
- Divorce/Separation
- Self-Esteem