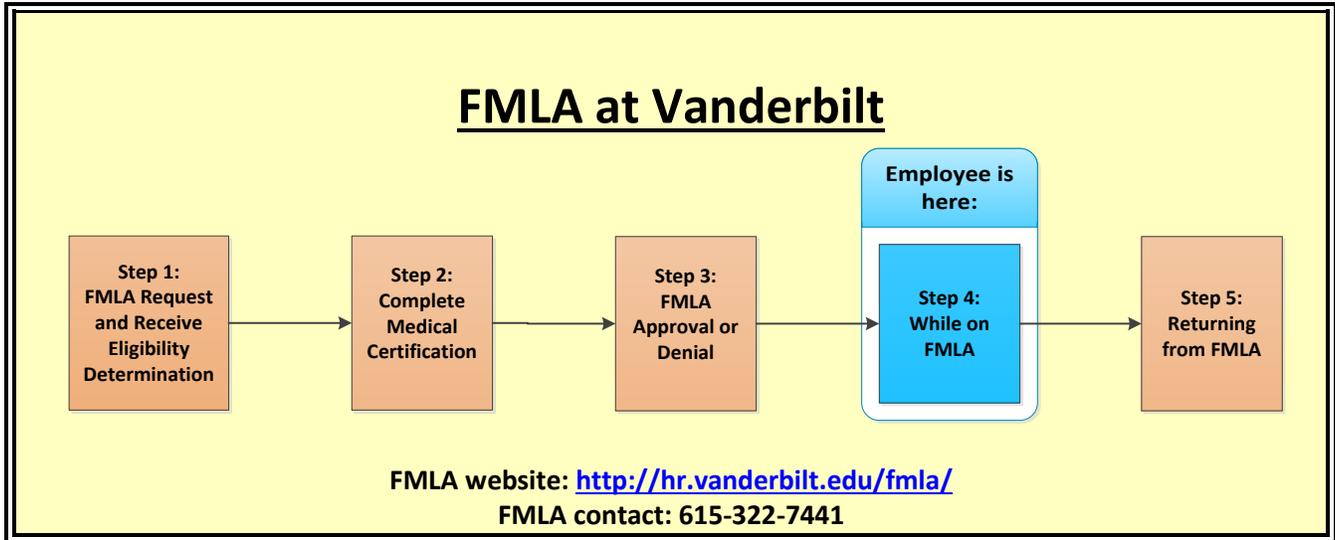


Supervisor's FAQs for an Approved FMLA

"The employee has been approved for FMLA. Now what?"



1. What is my responsibility as a supervisor while the employee is on Family and Medical Leave Act (FMLA)?

Immediate Steps for Continuous Leave:

1. Work with department HCM to ensure employee's assignment status is updated in Oracle to reflect the appropriate leave and pay status.
2. Confirm amount of time and dates the employee will be on leave, including how they would like to use their leave balances while on leave.
3. Setup an out-of-office message.
4. Consider work coverage and business needs.
5. Ensure FMLA time is tracked in Oracle. This can be done by the employee, you, or the HCM.

Immediate Steps for Intermittent Leave:

1. Confirm amount of time and dates the employee will be on leave.
2. Remind the employee to designate their leave time as FMLA when they call out.
3. Reinforce the department's call-out procedures to the employee.
4. Consider work coverage and business needs.
5. Ensure FMLA time is tracked in Oracle. This can be done by the employee, you, or the HCM.

2. What are the criteria and provisions for leave under FMLA?

- **Continuous leave**- An employee is absent for more than 3 consecutive workdays.

- ***Intermittent leave***- An employee takes leave in periodic increments of time; hourly, daily, and/or weekly increments.
- ***Reduced schedule leave***- An employee continues to work, but the employee's regular work schedule is reduced to a certain number of hours per day, week, and/or month.
- ***Reasons for leave***- Medical, pregnancy, adoption/foster care, military caregiver, military exigency.
- ***Duration of leave***- Date the leave begins and the return to work date; office visits and healthcare provider's appointments for intermittent leave.

3. How do I cover the workload and staffing needs?

- Assess what work can be covered by the employee's co-workers.
- If the employee's workload cannot be covered by the employee's co-workers, you may consider hiring a temporary employee. **Important note:** When your employee is released to return to work, the employee must be returned to the same or an equivalent position held when their leave began.
- If the employee is on scheduled intermittent leave, you may meet with your HR consultant to discuss the option of transferring an employee to an equivalent position to meet both the departmental and intermittent leave needs.¹ However, the employee must be returned to their original position once FMLA is exhausted or no longer needed.

4. Can I contact the healthcare provider if I need additional medical information?

- No. Human Resources is responsible for receiving medical information.

5. What is my role with tracking FMLA utilization?

- You must **ensure that the employee's FMLA** is tracked in Oracle.
 - Confirm the FMLA utilization with the employee before approving it in Oracle.

¹ Vanderbilt has the right under FMLA to temporarily transfer an employee to an available alternative position with equivalent pay and benefits to better accommodate the scheduled intermittent or reduced schedule. Before transferring an employee to an alternative position, the department must consult with the Workers' Compensation and Leave Manager and their HR Consultant.
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6. What is my responsibility regarding the submission of time cards and reporting time off?

- You will need to coordinate with your HCM to update the employee's assignment status to reflect the appropriate leave and pay status.
- You will need to ensure that FMLA is tracked in Oracle.

7. How does an employee get paid while using FMLA?

- Employees can use legacy sick, PTO and/or short term disability (if applicable) to receive continuation of pay while on leave.
- An employee who is taking FMLA leave because of the employee's own serious health condition and has short term disability, must use accrued time off banks (legacy sick, PTO) for the waiting period before short term disability payments begin. After the waiting period and short-term disability is in effect, no accrued time is deducted.
- Employees must use all available accrued time off banks prior to going on an unpaid leave status if they do not have or do not use short term disability benefits.
- In case of FMLA/TMLA for pregnancy, an employee may use accrued legacy sick time for the period of time the birth mother is under a healthcare provider's care (which is generally 6-8 weeks depending on the type of delivery). Birth mothers who have short-term disability insurance, they must use accrued time off banks or parental leave for the waiting period. While the employee is receiving short term disability payments, no accrued time is deducted from the employee. At the end of short-term disability, the employee would then use their remaining accrued time off banks or parental leave if they choose not to use it during the waiting period. Legacy sick leave cannot be used after short-term disability or after 8 weeks after the birth. Parental leave must be used within 12 weeks after the date of birth. (Please keep in mind that spouses are not eligible for short term disability benefits).
- After 6-8 weeks, for leave to bond with a well-child or other maternity leave where there is no serious medical condition, employees must use all available accrued time off banks. Legacy sick time cannot be used for this type of leave.
- Once all leave accruals have been exhausted, the employee will go into an unpaid leave status.
- When the employee is placed in an unpaid leave status in Oracle, they will automatically be enrolled in Direct Billing and will receive a bill to continue benefits coverage. For further questions, please contact BenefitExpress at 1-877-837-5017.

8. Can I contact the employee for work-related needs?

- Only if on a very rare occasion there is a critical work-related need. If you contact an employee and ask the employee to perform work duties, you will need to compensate their time.

9. How do I manage intermittent leave?

- You should maintain open dialogue with the employee on departmental call-in procedures, work expectations, and business goals.
- If the employee is approved for an intermittent episode, remind the employee that when they call-in that they must designate their time as FMLA within 2 days from the time of the call.
- Whenever possible, coordinate the employee's need for office visits and appointments with times that are the least disruptive of departmental needs and operations.

10. What if the employee has reached their 12-weeks maximum and is about to exhaust their leave?

- You need to contact HR to notify them of the employee's FMLA exhaustion and review all the related utilization with HR.
- Discuss with the HR FMLA team the possibility for non-FMLA leave and to determine if there is a need to refer the employee to the Vanderbilt Equal Opportunity and Access Office (EOA) at 615-343-9336 for a work accommodation.

11. How do I monitor performance and attendance during intermittent leave?

- As in all circumstances, it is necessary to hold the employee accountable for meeting work goals and business objectives to measure performance, while taking into consideration the employee's time away from work due to FMLA.
- The employee is accountable for departmental call-in procedures while the employee is on an intermittent FMLA. Approved intermittent leave may not count toward attendance occurrences if the appropriate documentation is provided. However, time used outside of FMLA will fall under the terms of the attendance policy.