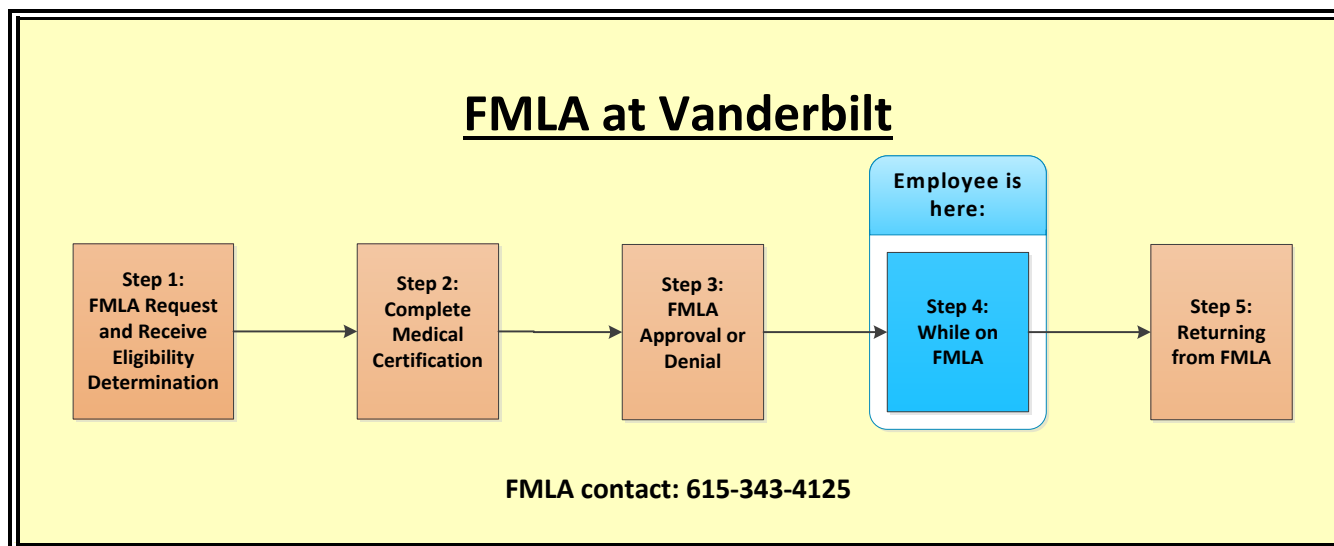


Supervisor's FAQs for an Approved FMLA

“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. Prepare documentation to submit the Personnel Action Form (PAF) as indicated by the employee's pay status (paid or unpaid)
2. Confirm amount of time and dates the employee will be on leave
3. Temporarily suspend the employee's P-card privileges through the department P-card manager
4. Setup an out-of-office message
5. Consider work coverage and business needs
6. Track utilization in Kronos (Medical Center) or in the E-Timesheet (University).

See [Kronos Klues](#) or [Time-Recording for Leave of Absence](#) for more information.

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
3. Reinforce the department's call-out procedures to the employee
4. Consider work coverage and business needs
5. Track utilization in Kronos (Medical Center) or in the E-Timesheet (University).

See [Kronos Klues](#) or [Time-Recording for Leave of Absence](#) for more information.

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 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 **track the employee's FMLA** and/or **Non-FMLA** time using Kronos or E-timesheet during the leave.
 - Confirm the FMLA/Non-FMLA utilization with the employee before submitting the pay period to Human Resources.
 - Contact your FMLA Coordinator if you need to change the FMLA/ Non-FMLA utilization of closed pay periods.

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 intermittent or reduced schedule. Before transferring an employee to an alternative position, the department must consult with its Human Resources consultant.

6. What is my responsibility regarding the submission of time cards and reporting time off?

- You will need to submit a PAF indicating a paid or unpaid leave of absence for your employee.

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

- An employee who is taking FMLA leave because of the employee's own serious health condition must use accrued time off banks for the waiting period before short term disability. After the waiting period and short-term disability is in effect, no accrued time is deducted.
- An employee who is taking FMLA leave because of the serious health condition of a family/service member, the employee must use all available accrued time off banks prior to going on an unpaid leave status.
- In case of FMLA/TMLA for pregnancy, an employee may use accrued sick or grandfathered sick time for the period of time under a healthcare provider's care (which is generally 6-8 weeks depending on the type of delivery). If the employee has short-term disability insurance, they must use accrued time off banks or parental leave for the waiting period. After the waiting period and short-term disability is in effect, 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. Grandfathered sick leave accruals cannot be used after short-term disability. Parental leave must be used within 12 weeks after the date of birth.
- 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. Grandfathered 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 in an unpaid leave status, they will automatically be enrolled in Direct Billing and will receive a bill to continue benefits coverage. For further questions, please contact Benefits Express 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 hourly paid 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 your HR consultant the possibility for non-FMLA leave and to determine if there is a need to refer to Equal Opportunity, Affirmative Action, and Disability Services (EAD) for a work accommodation.
- An exhaustion letter will be sent to the employee which will include details of their alternative options, such as non-FMLA, short-term disability, and long-term disability.

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 consideration for 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.

For further assistance please contact:

The FMLA Processing Team
fmlaprocessing@vanderbilt.edu
615-343-4125