

# FMLA Forms Crash Course

## Employer Obligations At A Glance



### STEP 1: DETERMINE IF YOU'RE A COVERED EMPLOYER

If so, display and distribute the *General Notice*

### STEP 2: EMPLOYEE NEVER HAS TO SAY 'FMLA'... IT'S YOUR OBLIGATION TO MAKE THAT DETERMINATION



The employee either provides you with enough information for you to qualify the leave, or you become aware of a leave that could qualify as FMLA. Provide the employee with the *Notice of Eligibility and Rights & Responsibilities Form*. If you require additional information to support the need for leave, such as a *Medical Certification* or *Proof of Relationship*, you must ask for it at this time. If you've already determined they are ineligible, do not request supporting documents.



### STEP 3: REVIEW ANY SUPPORTING DOCUMENTS

Ensure that all documentation is complete, clear and sufficient to make determination of leave.

### STEP 4: PROVIDE LEAVE DETERMINATION

If you've approved a continuous leave, provide the employee with a *Designation Notice* that communicates the time they are approved to take.

If you're denying leave, still provide the notice, and include at least one reason as to why they are being denied.



### STEP 5: MONITOR THE LEAVE FOR CHANGES

Use the *Designation Notice* to communicate any changes in eligibility and entitlement status to the employee.

## Important Reminders

- Maintain proper records throughout the entire process
- Consider that there may be state laws that affect the nature and types of information you can solicit (ex. privacy legislation is much more stringent in terms of what medical information you can ask for in California)
- When the employee returns to work, they must be restored to the same or equivalent position