

MAKING FMLA OR PARENTAL LEAVE GO SMOOTHLY

Both supervisor and employee benefit when a leave goes smoothly, both have the same expectations about what will happen during the leave, and there is a plan for covering the employee's work responsibilities during the absence. Here are basic suggestions to help make sure your leave goes well. Not every situation is covered, so please contact the Division of Human Resources for guidance.

THE LEAVE AGREEMENT

- The employee should submit a leave request at least 30 days in advance of the date the leave is expected to begin.
- The FMLA leave request spells out the terms of the leave. A Continuous leave means the employee is leaving the UA for the specified period; a Reduced Work Schedule or Intermittent leave means the employee is working fewer hours or the leave is occasional.
- The start date of a leave can be adjusted based on when the child arrives; the terms of the leave cannot be changed (e.g., from continuous to intermittent leave) by verbal agreement. The employee must submit a new written request with the appropriate certification.
- If the leave is requested for the employee's medical condition (e.g., pregnancy complication), a Health Care Certification is required.

THE PRE-LEAVE MEETING

If the supervisor and employee meet before the leave to establish a leave plan, the transition away from and back to work will be smoother. Babies have a way of coming on their own schedules (as do foster and adoption placements). It is helpful if employee and supervisor begin talking a month or more before the leave is scheduled to begin, so that everything is arranged before the employee's departure. Here are suggested topics to work out:

- What are the employee's critical work duties? How will these be covered during the employee's absence?
- If a coworker or temporary employee is covering the position during the employee's absence, what orientation, training, and access does that person need?
- What processes/procedures would it be helpful for the employee to write out before the leave?
- If an urgent situation does arise (e.g., the replacement can't find a necessary file), may someone contact the employee? By what means?
- If the employee is taking Intermittent or Reduced Work Schedule leave, what are the employee's specific responsibilities and time commitments during the leave?

- What does the employee want coworkers to know about the leave situation? What information may the supervisor communicate and by what means? (For example, some employees may not want their personal family situations to be public knowledge.)
- If something goes wrong or circumstances change, is it OK to communicate this information?
- Is it OK for coworkers to contact the employee while out on leave? If so by what means? Especially when a precious new child is arriving, many coworkers will want to offer congratulations or visit. Clear direction from the employee such as, "I appreciate everyone's good wishes and will send a message via the department listserv when we are up to receiving phone calls" sets limits without hurting feelings.
- How will time reporting be handled? Normally, the employee is responsible for reporting time and the supervisor for approving the time. An employee who wishes the department to report time on his/her behalf should request this in advance.

DURING THE LEAVE

- During a Continuous leave, the employer cannot have an expectation that the employee will be performing any work duties.
- During a leave, employees should not perform work duties that are not prearranged. Sometimes employees, in their dedication to UA, will say, "I know I'm out on leave, but I'll just come in for a few hours to. . ." This places the supervisor in a difficult position of violating the "interference" clause of the law and creates ambiguity about whether the employee truly is on leave.
- During the leave, the supervisor *should* check in to see if anything has changed and if the employee still expects to return as scheduled. The employee *should* respond to such contacts from the supervisor
- The employee is expected to return to work as identified in the leave request. If circumstances change, the employee should communicate with his/her supervisor as soon as possible, rather than avoiding the supervisor's contacts. A supervisor may be more amenable to working out arrangements such as other leave options or alternative work arrangements if the employee is proactive and communicative.
- Human Resources employee advisors are available to assist employees who have questions or who are reevaluating their relationship to their employment. Often an advisor can help an employee identify options such as returning to a different position that has more flexibility or perhaps applying for long-term disability. Phone 621-3660.
- Similarly, Human Resources consultants are available to advise supervisors on how to handle difficult leave situations appropriately and proactively. Phone 621-3660.
- In some circumstances, a consultation with Disability Resources can be invaluable in identifying accommodations that support the employee in being fully productive (e.g., relocating to a classroom in a building with a lactation room).

RETURNING FROM LEAVE

- ❑ As the end of the leave approaches, an employee may decide to request additional leave, a flexible work arrangement, or possibly an FTE reduction. We encourage employees to talk with their supervisors about these options as soon as possible and consult with resources such as Employee Advising, Life and Work Connections, or the Disability Resource Center.
- ❑ Employees who had medical complications must provide a physician's release that they can safely return to work. Supervisors are not allowed to permit an employee to return to work after a medical leave without this release. With a physician's letter documenting continuing medical issues for mother or child, a supervisor may authorize an extended non-FMLA leave.
- ❑ If the employee will be pumping or breastfeeding at work and does not have a private office, she should talk to her supervisor about options in the building or consult the University's [list of lactation rooms across campus](#).
- ❑ The employee should make a plan for how often she might need to take breaks to pump or breastfeed at work and discuss this with her supervisor. Employees may have to adjust their plan if their nursing-related needs change.