

Sample Questions & Talking Points for Managers

This resource should aid managers in understanding how to manage an employee's leave. These tips will guide managers in having necessary conversations, while staying within the parameters of what a manager can and cannot legally ask the employee about their leave.

It is important that you initiate an ongoing conversation with employees prior to taking leave so you can plan for their time off, assist them in appropriately using their accrued leave, and support them and the department in preparing for their return to work.

When employees are facing medical issues for themselves or their family member, it can be a difficult time. They are entitled to take the time they need to recuperate or care for their family member. Showing your support eases the anxiety they may be facing and encourages them to return to work as soon as they are able to do so.

Managers should discuss the following with employees prior to beginning a continuous/extended leave. It is best to have this conversation in advance, so you and your employee are on the same page with regard to what is expected.

Discuss Leave Duration:

- “What will be your last day of work before starting this leave?”
- “When do you expect to return to work?”
- If there is a conflict with operational needs of the department, ask: “Are the dates and/or times you are requesting negotiable?” Keep in mind:
 - Managers can negotiate dates/times if the employee agrees.
 - Managers cannot demand/require a change in dates/times.
 - Managers may not ask about the employee's medical condition.
 - Employees are required to give at least a 30-day notice for planned leave events, when possible, and if not possible, as soon as it is known they will need to be out. If insufficient notice is given to the manager for a leave, or if a notice does not meet reasonable work needs, it is possible that the employee can be asked to postpone their leave. Contact [HR Leave & Accommodations](#) or 713-745-3652 if this occurs. (Typically, elective surgery and/or ongoing office appointments can be rescheduled as long as the physician is available, and rescheduling does not pose a medical issue or interfere with treatment.)
- If the leave request is intermittent (leave that starts and stops at irregular intervals and does not extend past 3 full days at a time):
 - Be sure your employee understands departmental call-in procedures and how to notify you directly if the situation changes and/or if their need for time off becomes greater than what is approved.
 - Ensure your employee knows that they are required to advise at the time of call-in that their absence is related to their leave case (and provide their case number, if they have more than one current intermittent case). This will ensure their absence is protected and not subjected to an infraction under your attendance policy.
 - The department is responsible for submitting electronic intermittent tracking forms (eITFs) to HR Leave and Accommodations for the time the employee missed due to their leave request.
- Remind employees that it is their responsibility to submit required forms to HR Leave and Accommodations in order for their leave request to be approved, whether continuous or intermittent.

Contact Information and Expectations Regarding Returning to Work:

- Be sure you have updated contact information for employees (Ex: phone numbers, email, etc.)
- Ask employees to call you a few days before their scheduled to return to confirm their return date and discuss any potential restrictions, excluding details of their medical condition or treatment.

Leave Status Change:

- Share the following expectations:
 - They are to contact both you and HR Leave & Accommodations if they need to extend their leave or modify their start or end date. For example: if they find that their leave needs to extend beyond what they originally requested, they must notify you and HR Leave & Accommodations.
 - You should expect them to notify you at least 2 days in advance of their leave end date, or as soon as possible, so you can prepare for their return to work.
- Be mindful:
 - There may be cases when employees may not be able to give a full 2 days' notice, but it is important that they are aware that you expect for them to reach out to confirm their return date.
 - Reach out to employees the day before they are due back if they have not called to confirm their return.

Potential Scenarios:**1. I've noticed a pattern of absences for my employee who is approved for an intermittent leave request. (Ex: call-ins around weekends, holidays or off days, etc.)**

You should speak to employees about using more time than what is approved or when patterns present themselves. You should:

- Have a copy of their approval letter handy to give to them for their future reference.
- Illustrate the pattern of absences that are of concern to you. For example: taking leave around weekends, holidays and off days – color coding a calendar is recommended to use as a visual aid. This has been proven to be effective in helping employees understand how their pattern is impacting the department.
- Explain that you have been informed by HR Leave & Accommodations that any absences taken over what has been certified by the doctor or patterns can be subject to the terms of the attendance policy, which could result in disciplinary action. However, do not execute a disciplinary action for attendance for any employee approved for leave without consulting with your HR Strategic Business Partner.
- Do not allow employees to discuss any medical information or submit to you any medical paperwork. If they want to discuss a medical reason for their pattern, refer them to [HR Leave & Accommodations](#) or 713-745-3652.
 - It is also a good idea to send an email to HRLeaveAdmin@mdanderson.org advising of your discussion to address the pattern and provide us with any detailed information you have, including the color coded calendar.
- Follow up the meeting with the employee in writing to include the statement about potential consequences if the pattern continues.

2. I do not believe my employee is taking this time off for medical necessity.

Call HR Leave and Accommodations 713-745-3562 to explain your concerns. Refrain from making any accusations to employees.

3. What and do I tell my employee about returning to work and when should I have this conversation?

When the employee first notifies you of their need for a continuous/extended leave, an appropriate conversation would include, "You are expected to provide me with a release to return to work on the day you report back. You may

not return to work until you have received that medical clearance. If it does not fully release you to work, please let me know in advance, so I can evaluate our ability to accommodate your needs before we have you start working again.”

- This conversation should also be reiterated before they return to work, if possible.
- When the employee’s leave is for a family member, no medical release is required.

4. My employee and I are in contact. What can I say about their medical condition?

- When communicating with the employee, ask how they are doing. Do NOT ask about their medical situation or details surrounding their condition. Do not explore medical information with them, even if volunteered.
- DO ask about their return to work status.
- DO demonstrate the Core Value of Caring and show your support.
- Do NOT share information with other employees about this employee’s or their family member’s medical condition. It is okay to say they are on a leave of absence.
- Do NOT speculate or discuss concerns about the validity of their leave.

5. My employee did not return on the expected date. What do I do?

- The manager should contact the employee directly and immediately.
- An appropriate conversation would include, “Hi, how are you doing? We expected you back at work yesterday. If you needed additional time off, you were informed to advise me of that need in advance of your leave end date. You should also contact [HR Leave & Accommodations](#) or 713-745-3652 immediately. Your current job is not protected based on your original request, so you need to make sure you take care of getting an extension. If you don’t need an extension, please report to work tomorrow or your next scheduled workday (with your medical release, if applicable).”

6. My employee returned without a medical release. What do I do?

- If on leave for their own medical condition, explain to them that they cannot return to work until they bring a release. It is okay to allow them to call their doctor’s office, right then, in an attempt to obtain it by fax or email. It is always better to try and get it before sending an employee home.
- If the release has any form of restrictions on it, be sure to contact [HR Leave & Accommodations](#) and your HR Strategic Business Partner for guidance prior to allowing the employee to return to work, and especially if you are not confident that you can accommodate those restrictions.
- An appropriate conversation could include, “I’m sorry, but you cannot return your leave until you have a medical clearance that allows you to work. Are you able to contact your doctor to obtain one now? We will continue to use any available, applicable accrued time for your absence until you can obtain one. If you are unable to obtain one now, I will look for you to come back with that release tomorrow.”

7. My employee returned to work today. What do I do?

- Ask them if they emailed HR Leave and Accommodations to report their return. If not, ask them to do so as soon as possible and remind them that failure to do so may result in issues with their pay.
- If applicable, email or fax their release to HR Leave & Accommodations at HRLeaveAdmin@mdanderson.org or 713-745-8898.
- If you notice their return from leave has not been entered in PeopleSoft by HR Leave and Accommodations within a couple of days, please email HRLeaveAdmin@mdanderson.org to advise.

Be Supportive:

Returning to work from an extended leave of absence can be uncomfortable for employees. Apart from adapting to the physical demands of their workday, they may feel disconnected from their team or uncomfortable due to any changes made during their absence.

To ease this transition and demonstrate support:

- Be sure to formally welcome them back.

- Integrate them back into the workplace at a comfortable pace for the employee.
- Be sure to schedule some time to go over anything they missed while out. Be sure to keep a running list during an employee's leave, so you know what needs to be covered. Examples include, but are not limited to:
 - Changes in leadership
 - Changes in processes or expectations
 - Training requirements
 - Discussion/reminders about goals for the current fiscal year

Summary of Reminders:

- Read all notifications from HR Leave & Accommodations.
- Remind employees to read and adhere to any intermittent approval notifications, as those notices will contain specifics regarding how much time they are approved to take.
 - For example: an employee may be approved for one appointment per week lasting 2 hours per occurrence and 1 flare-up per month lasting 1 to 2 days. This information is provided to you in the approval notice to aid you in ensuring employees are using their intermittent leave appropriately.
- If your employee has taken continuous leave and plans to return to work with restrictions, remind them to call you to discuss your ability to accommodate those restrictions prior to them returning to work.
 - Be sure they provide a copy of their release to return to work to both you and HR Leave and Accommodations.
 - If you are able to accommodate the restrictions, complete the Accommodation Offer form, as this falls under the Americans with Disabilities Act as amended (ADAAA). Please contact HR Leave and Accommodations to obtain a blank copy of this form.
- Remind your employee to email HR Leave and Accommodations upon their return to work to avoid issues with their pay.

For questions or assistance, contact **713-745-3652** or e-mail **HRLeaveAdmin@mdanderson.org**.