

Leave process guide for managers

THE UNIVERSITY OF TEXAS
MD Anderson
~~Cancer~~ Center

Making Cancer History[®]

Table of contents

| | |
|--|----------|
| <u>Initiating Leave</u> | 3 |
| <u>Returning from leave</u> | 4 |
| <u>Frequently asked questions</u> | 5 |
| <u>Additional resources</u> | 6 |

Initiating Leave

Important steps during the process:

| | |
|--|---|
| Employee contacts their manager to request a leave of absence. | <ul style="list-style-type: none"> ○ If the need is foreseeable, give your manager 30 days written notice. ○ If the need is not foreseeable, notify your manager within one to two working days of learning of the need. ○ If the leave is for planned medical treatment, or requires intermittent or reduced schedule leave, you must notify your manager and be prepared to work with your manager on integrating your FML absence into the unit's work schedule when possible. |
| Manager reviews the process for taking leave and important questions with employees | <ul style="list-style-type: none"> ○ Refer to the "Sample Questions and Statements" to guide you through the conversation. ○ You can also use the Suggested Utilization of Leave Table and share it with your employee if they are unsure of their options for using accrued time and other pay options that are available. |
| Employee immediately contacts the Leave Center at 713-745-3652 (5-FMLA) after notifying their manager. | <ul style="list-style-type: none"> ○ The Leave Center will work with the employee (and manager as needed) to advise the employee of necessary documentation and discuss expectations. ○ Documentation required from the employee includes, but is not limited to: <ul style="list-style-type: none"> ● The employee applies for FMLA through the Leave Center over the phone and is responsible for providing accurate and complete information. The Leave Center will then determine eligibility. ● If the employee is eligible, he or she should submit the Certification of Healthcare Provider form to the Leave Center within 15 calendar days of the request. ● Employee is expected to follow departmental call-in procedures. |
| Employee receives provisional approval or denial. | <ul style="list-style-type: none"> ○ The HR Leave Center will provisionally approve or deny the request pending receipt and review of the medical certification from the health care provider. ○ As their manager, you'll be copied on the provisional approval, or denial. |
| Certification form is reviewed and employee is approved for leave. | <ul style="list-style-type: none"> ○ The HR Leave Center will determine approval or denial of FML once the Certification of Healthcare Provider form is received. ○ If the certification form is not received, a determination may be made to deny the leave. The manager will be copied on the approval or denial. |
| While on leave, managers will review the extended leave case summary report. | This summary will confirm the return dates for your employees so you can adjust workloads and staffing accordingly to prepare for their return. |
| Managers should keep in touch with their employees while on leave in order to assist with the return from leave process and enhance potential retention. | <ul style="list-style-type: none"> ○ Employees are expected to follow instructions from managers about maintaining contact with management about their plans during the leave period. ○ This should not be frequent contact ○ Managers are not allowed to assign work while employee is on approved leave. ○ Similarly, employees are not to perform work during approved leave. |

Important notes:

- If the employee needs to request a change in leave, the employee notifies their manager and the Leave Center at 713-745-3652 (5-FMLA) in advance if possible. If the employee is incapacitated, they should designate someone to contact their manager and the Leave Center.
- The Manager should ask employees to call the Leave Center on the 4th day of absence. If the employee is unable to call, the manager should call to discuss the employee's absence. The HR Leave Center will determine and advise if FML should be initiated.

Returning from leave

Job protected leaves include:

- Family Medical Leave
- Reduced Paid Leave
- Parental Leave

Expectations for Returning to Work After a Job Protected Leave

- If you return to work on or before the end of the approved FML period, your manager will return you to the same or an equivalent position.
- Manager will provide time, privacy, and a convenient location to meet needs of lactating mothers (contact Employee Health for assistance and list of Lactation rooms).
- If you do not report to work after a job protected leave period, you will not have the right to restoration to your same or an equivalent position. The HR Generalist Organization will provide assistance to managers preparing termination letters for failure to return to work.
- If your employment terminates, your group health coverage terminates at the end of the month in which the separation occurs. You'll be entitled to continue your group health benefits in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA).
- Manager will provide time, privacy, and a convenient location to meet needs of lactating mothers. A list of lactation rooms can be found on the [HR WorkLife and Wellness site](#).

Process for Returning to Work After a Job-Protected Leave

Action items for employees

Making a smooth transition back into work is made possible by communicating with the HR Leave Center and your manager.

| Take these steps before returning to work | Additional details |
|---|---|
| Contact your manager and the HR Leave Center to indicate an intended return to work date. | <ul style="list-style-type: none"> ○ Call 713-745-3652 to reach the HR Leave Center. ○ If possible, you should give at least 10 days of notice of your intent to return. ○ You need to call to confirm you are returning on your original request date, before the end of your approved leave or if you need an extension. |
| Provide a Physical Status Return to Work Form to your manager prior to starting work. | <p>This form should be completed by your licensed healthcare provider stating that you're fully able to resume your duties</p> <p>It's required if:</p> <ul style="list-style-type: none"> ○ The leave requested was for your own serious health condition. ○ You're returning after childbirth within six or eight weeks depending on the type of delivery. |
| Discuss with your manager any restrictions, change in duty or accommodations needed to perform essential functions of your job. | <ul style="list-style-type: none"> ○ Based on the requirements of the job, the manager will work you're your HR consultant to determine if these limitations can be accommodated before you may start work again. ○ A reasonable accommodation request is subject to the Accommodating Disabilities in the Workplace Policy (UTMDACC Institutional Policy # ADM0286.) |

Action items for managers

| Take these steps before an employee begins work | Additional details |
|--|---|
| Review the frequently asked questions . | |
| Request a Physical Status Return to Work Form from your employee, if applicable. | This form is required if: <ul style="list-style-type: none"> ○ The leave requested was for the employee’s own serious health condition. ○ The employee is returning after childbirth within six or eight weeks depending on the type of delivery. |
| Send the employee home if don’t have a Physical Return to Work form completed or if the form states they aren’t ready to return to work. | <ul style="list-style-type: none"> ○ <u>Allow the employee to obtain it via fax before sending them home.</u> ○ The employee should call the HR Leave Center to determine if additional paperwork for extending their leave is required. ○ The employee should stay at home until they have their form or the issues are resolved with HR. |
| Review the Physical Status Return to Work form. | Determine if: <ul style="list-style-type: none"> ○ The employee is able to fulfill the job duties and return to work. ○ The employee is not able to fulfill the job duties and you need to work with your HR consultant to decide if the restrictions or limitations can be accommodated. ○ If accommodations are needed, your consultant will coordinate with the applicable departments. |
| Remind the employee to contact the HR Leave Center to advise of return to work. | <ul style="list-style-type: none"> ○ It’s critical for the employee to do this so they can avoid any paycheck issues. ○ You’re not required to submit a return from leave eJDUF for employee’s returning from a job-protected leave of absence (FML or RPL). |
| Fax a copy of the Physical Status Return to Work form to the HR Leave Center, if applicable. | Fax it to 713-745-8898. |

Frequently Asked Questions

1. Do I need to complete an electronic Job Database Update Form (eJDUF) to return my employee from leave?

If your employee returns from leave on or after Sept. 1, 2013, you don’t need to submit an eJDUF. However, you should ensure the HR Leave Center is aware that the employee has returned to work by asking the employee to call and confirm their return.

2. My employee didn’t return on the expected date. What do I do?

You should contact the employee to inquire about return date and remind them of their responsibility to notify the department and Leave Center of changes to their request.

Sample conversation:

“Hi, how are you doing? I’m calling because we were looking forward to having you back today based on the original dates in your leave request. Do you need additional time off?”

If yes:

“You’ll need to contact the Leave Center *immediately* to request an extension. Unfortunately, FMLA guidelines can only protect your job based on the dates provided in your original request. This is why it’s required to notify me or the Leave Center in advance if you need additional time off. Call (713) 745-3652

now to speak with someone in the Leave Center so they can assist you. If you have any issues, please let me know.

If no:

“If you don’t need an extension, please report in tomorrow (with your medical release if applicable).”

3. My employee returned to work today as scheduled. What do I do?

- Remind them to notify the HR Leave Center immediately that they have returned to work. Also, remind them that failure to do so may result in issues with their pay.
- If applicable, ask if they have a release to return to work. If so, fax their release to the HR Leave Center at (713) 745-8898.
- Follow up on the employee’s return status within a couple of days by checking Manager Self-Service to ensure the return from leave has been entered by the HR Leave Center.
- You or your timekeeper/designee should also check the timecard to ensure the LV-FMLA code is not showing on the day of return or thereafter.

4. My employee’s timecard hasn’t been updated. Who should I contact?

If Manager Self Service hasn’t been updated or LV-FMLA is showing on the timecard, notify the HR Leave Center via email at HRLeaveAdmin@mdanderson.org.

5. Does my employee need a medical release to return to work?

Employees who take leave for their own illness and not for leave taken for family members are required to provide a medical release when they return.

6. What if my employee returns without a medical release?

If your employee was on-leave for their own medical condition, they won’t be able to return to work without a medical release. If they arrive without one, it’s okay to allow them to call the doctor’s office right then and attempt to obtain it by fax. It’s better to try and get it than send the employee home.

Sample conversation:

“I’m sorry, but you cannot return from leave until you have a medical clearance that allows you to work. Are you able to call your doctor to obtain one now?”

If you can, see if they can fax a copy now. Otherwise, I’ll look forward to you coming back tomorrow with the release. Your absence will be charged to any available paid time off until you the release. Please let me know if you have any questions.”

7. What if there are restrictions listed on the medical release form?

If the release has any form of restrictions, be sure to contact your [HR consultant](#) for guidance prior to allowing the employee to return to work, especially if you’re not confident that you can accommodate those restrictions.

8. Do I need to complete an eJDUF to return my employee from leave?

If your employee returns from leave on or after Sept. 1, 2013, you do not need to submit an eJDUF. However, you should ensure the HR Leave Center is aware that the employee has returned to work by asking the employee to call and confirm their return.

Additional Resources

- For Employees: [Request for Time Off Form](#)
- [Speaking points](#) to use when discussing leave with employees
- [Commonly Used Leave Codes in Kronos](#)
- [How to Run the Extended Leave Case Summary Report in Kronos](#)