Family and Medical Leave Act (FMLA)
Objective of the Federal Law

- Helps you balance work demands with personal and family needs
- Requires covered employers to provide up to 12 weeks of job-protected leave to eligible employees for qualified conditions
- Provides unpaid time away while you are:
  - Recovering from illness or injury
  - Caring for family member
  - Bonding with a newborn or newly adopted or foster-placed child
  - Attending qualified activities for a family member’s urgent military deployment
• Sandia reviews the Physician’s Certificate of Illness or Injury (PCII) or FMLA application and medical certification, and provides formal notification, if approved

• Total of 12 weeks every 12 months during a rolling 12-month period

• Take time off:
  – Continuously (all at once);
  – Intermittently (shorter blocks of time or modified work schedule)

• Time off for event is applied to your FMLA leave period
FMLA Benefits and Eligibility

- Leave benefit is a total of 12 weeks per year; not per event
- Approval contingent on medical verification and eligibility
  - Must be employed for at least 12 months
  - Must have worked at least 1,250 hours during last 12 months
  - Must provide medical verification of qualifying condition for you or family member
  - Must provide proof of qualifying military deployment
- Sandia-provided benefits, such as vacation accrual and healthcare, remain in effect during FMLA leave
- Employees on FMLA continue to pay employee portions of premiums
What Events Qualify for FMLA?

• Birth and care of a newborn
• Care for/ bond with newly adopted or foster-placed child
• Care for seriously ill spouse, child or parent
• Care for your own serious health condition
• Qualifying activities related to family member’s military deployment
• Care for ill/injured active duty military spouse, child, parent or next of kin—up to 26 weeks
FMLA Designation—For Yourself or For a Family Member

- You can request FMLA:
  - For your own serious health condition
  - To take care of a family member

- Sandia will designate your FMLA as:
  - For yourself
  - For a family member
FMLA For Yourself

• Take FMLA for your own serious health condition

• Sickness Absence for your own illness:
  – Paid Sickness Absence runs for up to 26 weeks; 12 weeks are covered by FMLA
  – 26 weeks (full time)
  – Prorated (part time)

• Paid leave runs concurrently with unpaid FMLA leave (e.g., Sickness Absence, Vacation, Personal Time- where applicable)
FMLA For Family Care

• Choose unpaid or use paid time away from work benefits
• Care for seriously ill spouse, child or parent
• Care for newborn or adopted/foster child
• Take time continuously or intermittently (e.g., modified work schedule or sporadic time off) as necessary with supporting documentation and management approval
FMLA Time Away From Work

- Sickness Absence
- Personal Time/PTO
- Workers’ Compensation
- Vacation
Other Programs Beyond FMLA

- Sickness Absence
- Personal Time/PTO
- Workers Compensation
- Leave of Absence
- Vacation
- Holiday
- Long-Term Disability
- Other Options
• FMLA eligibility and designation based on Physician’s Certificate of Illness/Injury (PCII)

• Employees must submit PCII if:
  – Ill/injured 5 consecutive work days
  – Ill/injured 7 consecutive calendar days
  – Having medical procedure with general anesthesia or hospitalization
  – Illness or injury requires a modified work schedule or covers an intermittent absence

Note: Sandia providers may approve a PCII for a one-time, short-term illness or injury with a duration of 10 days or less, beginning when the Sandia provider makes the diagnosis and sends the employee home.
FMLA and Sickness Absence for Self

- Submit PCII to Absence Management Team (AMT)
- Sandia determines FMLA and Sickness Absence eligibility
- If you are not sure if you need PCII, ask the AMT
- PCII and FMLA do not normally apply to:
  - Standard colonoscopies
  - Lasik eye surgery
  - Minor dental procedures
- With the above procedures, you can return to work through Sandia medical, if needed
Applying for FMLA

• When you know that you will be absent for an FMLA event, notify your manager and HBE as far in advance as possible

• Provide at least 30 days notice when possible

• Discuss reduced/intermittent schedule requests with your manager
  – Manager must approve the requested schedule
Applying for FMLA: For Yourself

- Complete Physician’s Certificate of Illness/Injury (PCII)
- 15 days from start of incident to submit the PCII
- Absence Management Team reviews/approves
- Use Sickness Absence or other Time Away from Work benefits during FMLA leave
- Code time to **Sickness Absence Full Pay: FMLA** or other FMLA with accrual
Applying for FMLA: For Family Member

• Same process, except use:
  – Application for FMLA
  – Certification of Health Care Provider form
• Choose FMLA concurrent with paid leave or unpaid
• Benefits you can use for FMLA concurrent with paid leave include:
  – Vacation, Vacation Buy, Projected Vacation
  – Personal Time/PTO
  – Vacation Donation (must apply)
Case Study #1 – FMLA for Yourself

- Out sick 4 days
- On 5th day, doctor diagnoses you with bronchitis and requires you take time off
- You and your doctor complete Physician’s Certificate of Illness/Injury (PCII)
- Sickness absence approved
- Sandia approves/requires FMLA for time off
- Change time to FMLA
• Illness requires two weeks for recovery
• When you return, you have a remaining FMLA balance of 10 weeks
  – Can use in same 12-month period for yourself with approval of PCII for new condition or extended time period
  – Can use for family member with approved application and medical certification
• FMLA runs concurrently with paid leave time
Case Study #2 – FMLA for Family Member

- Need time to care for your child with a serious illness
- Notify manager that you need time away; apply for FMLA with AMT
- AMT determines illness qualifies for FMLA and approves full 12 weeks
- Request reduced work schedule
- Manager approves 20-hour work week
  - You and manager agree on specific hours
- This is example of intermittent FMLA with reduced schedule

Note: The reduced or intermittent schedule could be any number of schedules or hours as approved by the manager
Case Study #2 – FMLA for Family Member (cont.)

- Your child improves in six weeks
- You return to work full time
- You have used three weeks of FMLA
- Remaining balance: nine weeks
  - Can use for family member with approved application and medical certification
  - Can use in same 12-month period for yourself with approval of PCII for new event or extended time period
• Option of running FMLA concurrent with paid leave or taking it as unpaid

• **Paid**: Code 20 hours/week to an accrued leave (e.g., FMLA/Vacation or FMLA/Personal Time)

• **Unpaid**: Code to Time Reporting Code TRC 510
  – You need to pay your portion of benefits premiums directly to Sandia

• You may also take one day of FMLA concurrent with a paid leave benefit to pay benefits and avoid needing to pay Sandia
Have Questions?

- Corporate Procedure: HR100.4.4, Requesting Time Off through the Family Medical Leave Act
- Provides step-by-step process
- Contact:
  - Absence Management Team
  - HBE Customer Service: 505-844-HBES (4237), Option 2
  - Your manager