If an employee requests a leave of absence, or has been out on sick leave for **more than three consecu�ve days**, the supervisor should refer the employee to the Leave Coordinator at [Lori.Neﬀ@Greeleygov.com.](mailto:Lori.Neﬀ@Greeleygov.com) The Leave Coordinator will work with the employee directly to obtain a medical cer�ﬁca�on, and no�fy the supervisor as soon as the leave has been approved/denied.

* Meet with the employee to review any work-related informa�on that needs to be obtained, prior to the employee star�ng their leave (if foreseeable).
  + Project status updates
  + Day to day tasks
  + Obtain any important contacts or informa�on
* Get the work covered – it is the supervisor’s responsibility to ensure work is completed, even if an employee is out on leave. Work with your department and HR Business Partner to explore possible op�ons and resources.
* Make sure the employee has added available leave to cover the ﬁrst 14-day absence in Oracle. This is important to ensure that the employee will s�ll be paid appropriately while on an approved leave of absence. If the employee does not have suﬃcient leave to cover the �me oﬀ, you will add the “Leave Without Pay” payroll code for the �me oﬀ request. The Leave Coordinator will then be in charge of the employee’s �mecard while the employee is on a con�nuous leave, the leader will then simply need to review/approve the employee’s �mecard during payroll close each period that the employee will be absent from work.

Human Resources will email the employee with the leader included that they have been approved or denied for Family and Medical Leave, the supervisor should consider the following:

* Review the designa�on e-mail from HR to ensure the FMLA start and end dates are correctly outlined.
* Supervisors should refrain from reaching out to the employee while they are on an approved leave of absence. This will prevent the chance of the employee sta�ng that the employer requested they work while on leave and avoid required payments under FLSA due to the employee for work performed. The Leave Coordinator will keep in contact with the employee for any updates while the employee is on leave.

# When an employee is approved for FMLA benefits, the following protections will apply:

* Same Pay upon their return to work,
* Continuation of Benefits (as if they are still working),
* Other terms & conditions of employment prior to the leave of absence (shift preference (AM/PM), Hours, groups, etc.).
* Cannot demote employee to ¾-time or Part-time.
* Can not count attendance against the employee while using FMLA.
* Can’t place employee in an undesirable location outside of normal commuting area.
* Can’t deny a promotion because the employee used FMLA.

**\*If an employee requests any changes while on FMLA, please contact the Leave Coordinator immediately to determine the best course of action prior to agreeing to any changes.**

# Returning the Employee to Work

When an employee returns to work, the FMLA requires that the employer return them to the same job that they were in when the leave began, or one that is nearly iden�cal. If it is not possible to return the employee to the exact same job, the new posi�on must:

* Involve the same or substan�ally similar du�es, responsibili�es, and status
* Include the same general level of skill, eﬀort, responsibility and authority
* Oﬀer iden�cal pay, including equivalent premium pay, over�me and bonus opportuni�es
* Oﬀer iden�cal beneﬁts (such as life insurance, health insurance, disability insurance, sick leave, PTO, educa�onal beneﬁts, pensions, etc.);
* Oﬀer the same general work schedule, and be at the same (or nearby) loca�on.
* Please keep in mind that if an employee exhausts the FMLA leave en�tlement and is unable to return to work, the employer is not required to restore the employee to their posi�on.
* At least ONE week before the employee is scheduled to return, the employee is required to work with the Leave Coordinator to ensure the employee has returned or will be returning a “Fitness to Return” cer�ﬁca�on ONE week prior to their return-to-work date.

If the employee is on a personal medical leave and does not submit the return-to-work forms as instructed, **the employee is unable to return to work un�l the forms have been received to prevent any unforeseen work accidents** which may result in a worker’s compensa�on claim and may require the employee to be out for a lengthier amount of

�me.

* Once there is conﬁrma�on that the employee will be returning to work on the scheduled return to work date, the supervisor should prepare for the employee’s transi�on back into their role. This may include any updates or training that may be appropriate.
  + If the employee will be returning with restric�ons, the supervisor will work with the HR Business Partner to make sure that the employee’s accommoda�ons/ work restric�ons are being met.
  + If the department cannot accommodate the restric�ons, the supervisor will work with the HR Business Partner to ﬁnd an adequate light-duty assignment which may be in another department (worked �me will s�ll be billable under the employee’s home department).

**Please note:** supervisors and colleagues should not ask or request any informa�on related to the employee’s medical condi�on. Supervisors will not have access to review any medical informa�on provided by the employee. If an employee reaches out to their supervisor and sends any medical informa�on, **please be sure to follow up by email to inform them that you will not need any of their personal medical informa�on and they can reach out to the Leave Coordinator if they have addi�onal ques�ons about their leave**. There are HIPAA laws that protect employee medical informa�on and it is best to avoid extensive knowledge of the medical reasons and/or updates that pertain to an employee’s health. If a supervisor has any ques�ons or concerns related to the employee’s medical leave, please contact the Leave Coordinator at [Lori.Neﬀ@Greeleygov.com](mailto:Lori.Neﬀ@Greeleygov.com) for addi�onal guidance and support.