



TEXAS WOMAN'S UNIVERSITY™

Family and Medical Leave Act Questions and Answers

Question: I have plenty of sick leave? Why do I have to apply for FMLA?

Answer: FMLA is a federal law. As an employer TWU is required to provide FMLA Protection for anyone who qualifies.

1. to ensure that the employee gets the benefit and protection of the law
2. to establish that we have complied with our notice and designation obligations
3. to make sure that we are not obligated to give additional family and medical leave during that leave year simply because of a failure to properly designate the original leave

Question: How long must I be employed at TWU to qualify for FMLA?

Answer: 12 months within the preceding 7 years. You must also work 1,250 hours in the preceding 12 month period.

Question: What if I transferred from a state agency? Do those hours count towards FMLA qualification?

Answer: Yes. If they were within the preceding 12 months.

Question: How do I complete my time sheet while I'm out of the office continuously?

Answer: If you are on a continuous leave your supervisor will need to contact payroll for instructions and access to complete your time sheet.

Question: If I run out of paid leave but have not used 12 weeks of FMLA, am I protected?

Answer: While on FMLA your position or a similar position is protected. You will be on leave without pay if you use all paid leave. If a disciplinary process began before your leave begins, the process may be delayed until your return to work. These questions can be answered on a case by case basis.

Question: What happens to my insurance if I am on leave without pay?

Answer: If you are still protected under FMLA, ERS (Employees Retirement System of Texas) will bill directly for your insurance premiums.

Question: My spouse or partner is expecting. Am I protected under FMLA when the child is born?

Answer: Yes, if you meet the FMLA qualifications. You can take up to 12 weeks of leave. Sick leave usage applies by normal sick leave rules.

Question: As a supervisor can I contact my employee about work while on FMLA?

Answer: An occasional question is acceptable. Do not contact employees unless absolutely necessary and specifically with questions related to performance. Consult HR if an ongoing investigation is in progress when the employee is approved for FMLA.

Question: If my FMLA protection expires and I am not released to work, what are my options?

Answer: An extension of leave is a possible accommodation under ADA. Contact benefits or the ADA coordinator for details.

Question: I am on FMLA to care for a family member. Is a return to work release required?

Answer: No. You do not need a release unless you are off for your own serious medical condition.

Question: Am I eligible to participate in the Telecommuting Program if I am on FMLA?

Answer: Employees on FMLA with their own full time serious health condition are ineligible to work onsite or at a remote worksite. However, employees working

on an intermittent, reduced schedule or other restricted FMLA situation may be considered on a case by case basis.