

Supervisor Responsibilities under FMLA

It is the responsibility of the University of West Georgia to designate leave, paid or unpaid, as FMLA-qualifying. UWG has the right to designate any qualifying time off as FMLA leave, even if the time is not specifically requested as FMLA leave per se by the eligible employee. It is also the responsibility of the employee's supervisor to notify the employee that such leave has been designated as FMLA-qualified. Supervisors should review employee absences of 3 days or more days and notify Human Resources.

The University of West Georgia should provide its employees with information regarding the FMLA process. Please obtain a poster to place in your break room or other prominent work location.

- A supervisor should be aware of the employee responsibilities under FMLA. Should a supervisor be unfamiliar with the guidelines related to FLMA policy, they should seek assistance from UWG Human Resources.
- As soon as possible, a supervisor should provide notice to UWG Human Resources when an employee has been absent at least 3 days and the absence may be designated as FMLA-qualified.
- UWG Human Resources will then initiate contact with the employee.
- If you have a question regarding whether an employee's leave should be designated as FMLA-qualified, please contact UWG Human Resources.
- At some later date, UWG Human Resources may request medical certification if there is reason to question the appropriateness of the leave or its duration. In addition, if UWG has reason to doubt the validity of a medical certification, UWG Human Resources may, at the employer's expense, require the employee to obtain a second opinion.
- A supervisor **may not** directly contact a health care provider to request additional information, but he/she should consult with UWG Human Resources if assistance is needed. Arrangements may be made for a health care provider representing the institution to contact the employee's provider for clarification and authentication.
- UWG Human Resources and the supervisor should maintain contact should there be any change in circumstances for which the leave was taken.
- UWG Human Resources may request an attending physician to indicate when the employee may be able to return to work.
- Two weeks before an employee has exhausted all annual and sick leave, the supervisor should complete and submit a PAR putting the employee on leave without pay. The purpose of this notification is to help the employee make arrangements to pay for health insurance premiums and other benefits premiums while not receiving a paycheck.
- Please ensure you have provided information to the employee regarding his/her employee rights and responsibilities.
- If an employee is not able to return to work by the end of the approved FMLA leave, he/she may be eligible to request additional *personal* leave under other University System of Georgia policies. In no case may all leaves combined exceed 12 months. If an employee does not return to work and is not granted additional leave, his/her employment will end on the last day of the approved FMLA leave. Human Resources must be

consulted prior to terminating an employee who is unable to return to work following FMLA leave.

- If an FMLA-covered employee gives notice of intent **not** to return to work, the University's obligation under FMLA ceases for that employee. The University is no longer obligated to provide health benefits for the employee and is not required to restore the employee to an equivalent job.
- Human Resources should retain FMLA-related paperwork. For tenure-track faculty members, the faculty member or supervisor should contact Academic Affairs and Human Resources regarding the impact of FMLA-related leave on the tenure clock.