

TEXAS A&M UNIVERSITY-COMMERCE
Family and Medical Leave Act
Supervisor Checklist/Decision Tree

1. Is Employee Eligible Under Family & Medical Leave Act (FMLA)?

- A) Employed by state of Texas at least 12* months? Yes No
*Does not need to be consecutive.
- B) 1250 actual work hours in last 12 months? Yes No

If **NO** to either A or B, notify employee they are ineligible for FMLA.
If **YES** to both A and B, proceed to section 2 as noted below.

2. Does Time Off Qualify?

- Birth of Child? Yes No
Placement of Child for Adoption Yes No
Placement of Child for Foster Care Yes No

Serious Health Condition Involving Parent/Spouse/Child under 18 or Incapable of Self Care/Employee AND:

1. Inpatient Care, period of incapacity and subsequent treatments related to same? Yes No
2. Incapacity of more than 3 calendar days with treatment 2 or more times? Yes No
3. Incapacity of more than 3 calendar days with one treatment resulting in therapy or prescription? Yes No
4. Incapacity due to pregnancy or prenatal? Yes No
5. Incapacity for treatment of chronic serious health condition? Yes No
6. Incapacity, permanent or long term, for which treatment may not be effective? Yes No
7. Absence for multiple treatments for restorative surgery? Yes No

If **NO** to all questions in section 2, notify employee they are ineligible for FMLA.
If **YES** to any one question in section 2, complete steps 3-6 below.

- 3. Determine How Time Will Be Charged** (Vacation, Sick, Unpaid or any Combination. If unpaid time exceeds pay period, an official leave of absence must be processed.)
- 4. Give Notice To Employee** (Oral within 2 business days, written within 7-10 workdays; use sample notification letter with enclosed FMLA usage/obligations.)
- 5. Record Time Properly**
- 6. Follow Up On Periodic Reports, Recertification, or Fitness For Return To Work.**

Direct all questions to Kathy Compton (5118).