

## SUPERIOR COURT FMLA LEAVE RESPONSIBILITY CHECKLIST

- 1. Employees are responsible for:**
  - a. Keeping their supervisor informed about reasons for absences from work, especially those involving the medical-related absence of an overnight stay in a hospital or an absence involving more than three consecutive days or any repeated occurrences of medical-related PTO/EIB leave, or military-related leave which may be covered by FMLA.
  - b. Completing and submitting required forms to the FMLA Coordinator in a timely manner.
  - c. Reporting to the FMLA Coordinator regarding the status of their FMLA leave. As an alternative, a representative may report for the employee.
  - d. Providing advance notice of at least two working days before returning to work following FMLA leave.
  - e. Providing the FMLA Coordinator with a fitness for duty release from the employee's health care provider before returning to work from FMLA leave (only applies to FMLA leave for the serious health condition of the employee.) Such fitness for duty release shall include: 1) the date the employee is able to resume work; 2) that the employee is able to perform the essential functions of his or her job; and 3) any work restrictions, if any.
  
- 2. Supervisors are responsible for:**
  - a. Reporting any family or employee medical-related absence of an overnight stay in a hospital or an absence involving more than three consecutive days or any repeated occurrences of medical-related PTO/EIB leave, or military-related leave to the FMLA Coordinator to enable a determination of eligibility and qualification for FMLA.
  - b. Consulting with their designated FMLA Coordinator and the Court Human Resource Manager as needed to determine appropriate actions when dealing with an employee requesting or taking FMLA leave.
  - c. Ensuring that FMLA leave is properly designated on the employee's timesheet and that a copy of timesheets with FMLA leave are forwarded to the FMLA Coordinator.
  - d. Maintaining strict confidentiality of employee medical information.
  
- 3. FMLA Coordinators are responsible for:**
  - a. Administering the provisions of the FMLA to employees of their court division.
  - b. Providing information to employees about the FMLA and communicating with employees during the course of their FMLA leave as necessary to keep the employee informed of their rights and responsibilities.
  - c. Determining employee eligibility for FMLA leave.
  - d. Providing employees with written notice of their FMLA Notice of Rights and Responsibilities; reviewing completed certifications to determine eligibility under FMLA, and providing employees with the completed FMLA Designation Notice. Forwarding FMLA documentation including the Employee Request for FMLA Leave, Notice of Rights and Responsibilities, Certification Forms, and Designation Notice to Court Human Resources for processing.
  - e. Tracking the amount of FMLA leave used by employees of their court division.
  - f. Maintaining strict confidentiality of employee medical information.
  
- 4. Court Human Resources is responsible for** overseeing the proper administration of FMLA for employees of the Superior Court including but not limited to:
  - a. Making available forms and information regarding the FMLA.
  - b. Assisting employees, supervisors, FMLA Coordinators, Mohave County Payroll, and the Benefits Division of Mohave County with issues regarding FMLA leave for Superior Court employees.
  - c. Reviewing forms, certifications and other documentation relative to an eligible employee's FMLA leave for adherence to this policy and the FMLA.
  - d. Processing FMLA-related Personnel Action (PA) forms to Mohave County Payroll.
  - e. Processing FMLA-related Personnel Action (PA) forms and associated documentation (i.e. Mohave County Leave Notification Form, Notice of Rights and Responsibilities, Designation Notice to the Benefits Division of Mohave County.
  - f. Maintaining all medical information relating to FMLA leaves in confidential medical files, separate and apart from the employee's master personnel file.
  
- 5. The Benefits Division of Mohave County is responsible for** administering the provisions of the FMLA concerning continuation of group health benefits for employees on approved FMLA leaves and for assisting employees with an application for Short-term and Long-term Disability programs, as may be applicable.

## FMLA LEAVE - PROCEDURE CHECKLIST

### Court Division:

1. **DIVISION HEAD** designates a non-supervisory employee as FMLA Coordinator for the court division.
2. **SUPERVISOR** becomes aware that an employee is taking, or plans to take, leave for reasons that may qualify under the FMLA. **SUPERVISOR** informs the FMLA Coordinator.
3. If not already completed, the **FMLA COORDINATOR** asks the employee to complete the Superior Court Employee Request for FMLA Leave Form (Sample Document #1). An employee's failure to submit the completed form does not relieve the Court from responsibility to handle the leave in accordance with the provisions of the FMLA.
4. The **FMLA COORDINATOR** reviews employee eligibility for FMLA leave:
  - Has the employee worked for the Superior Court &/or Mohave County for at least 12 months (does not need to be consecutive)?
  - Has the employee worked at least 1250 hours in the 12 months immediately preceding the first day of FMLA leave? Run Detail Check History Report from MUNIS to determine hours actually worked.
  - How much FMLA leave, if any, has the employee used in the previous 12 months?
5. Once eligibility is determined, the **FMLA COORDINATOR** gives the employee a completed Notice of Eligibility and Rights and Responsibilities (Sample Document #2). This includes requesting that the employee complete and return the appropriate certification form for the requested leave and return it within 15 calendar days. Do not ask for more information than the certification provides. Note: If leave is for the employee's own serious health condition, include a copy of the employee's job description.
6. If leave will be intermittent, the **FMLA COORDINATOR** works with the employee and supervisor to reach a mutually satisfactory schedule and/or to clarify the schedule of absences as much as possible and consider accommodating the employee as needed.
7. Upon receipt of the completed certification, the **FMLA COORDINATOR** evaluates the form(s) to determine if the event is an FMLA qualifying event. Contact Court HR if the certification is incomplete, or insufficient information exists to determine if the event qualifies as FMLA leave.
8. Within 5 business days of receiving the completed certification, the **FMLA COORDINATOR** notifies employee by completing a Designation Notice that the time off will or will not be considered covered under the FMLA (Sample Document #3). Forward the completed certification, a copy of Designation Notice, and the completed Mohave County Leave Notification Form (Sample Document #4) to Court HR.
9. **Supervisor** forwards copies of the employee's FMLA timesheets (Sample Document #7) to the **FMLA COORDINATOR** who will track ongoing FMLA leave hours in the FMLA Tracking Spreadsheet (Sample Document #8).
10. If the employee transitions from a paid to unpaid FMLA leave status, the **FMLA COORDINATOR** sends the employee written notification of the transition to unpaid FMLA and notifies the HR Manager and Mohave County Benefits.
11. The **FMLA COORDINATOR** notifies Court HR of the employee's return to work from FMLA leave and ensures the employee provides a fitness-for-duty certification if returning from employee serious health condition FMLA. Provides a copy of fitness-for-duty certification to Court HR.

### Court HR:

1. Prepare and process a Personnel Action (PA) Form regarding the placement of an employee on FMLA leave. When providing the Benefits Division of Mohave County with a copy of the PA, including a copy of the FMLA Rights and Responsibilities Notice, Designation Notice and Mohave County Leave Request form.
2. Upon notification that the employee has returned from work, or when placement on Intermittent FMLA is appropriate, prepare and process a Personnel Action (PA) Form. Upon conclusion of the FMLA leave, process PA to end the FMLA leave and complete data entry in HRIS system.

### Benefits Division of Mohave County:

1. Provide the employee with information on continuation of benefits while on FMLA.
2. As may be applicable, provide guidance and assist employees with Short-term Disability and Long-term Disability benefits.

### Documents

### Document Samples

- | 1 | Employee Request for Leave Form                          |
|---|--|
| 2 | Notice of Eligibility and Rights & Responsibilities      |
| 3 | Designation Notice                                       |
| 4 | Mohave County Leave Notification Form                    |
| 5 | Sample Notice to Employee of Transition to Unpaid FMLA   |
| 6 | Sample Notice to Employee of Upcoming Expiration of FMLA |
| 7 | Mohave County FMLA Timesheet                             |
| 8 | FMLA Tracking Spreadsheet                                |