How to Navigate a Medical Leave of Absence

Supervisor

Foreseeable leave (e.g., scheduled treatments, surgery, procedures) – Ask the employee to contact Human Resources by e-mail at FMLA/ADA@tcu.edu, or call (817) 257-5123, as soon as you learn of the need to take leave.

Unforeseeable leave (e.g., medical emergencies/hospitalizations) – Employee must report as soon as practicable, by using the department's protocols and mechanisms in place to report leave and depending on the circumstances, apply the following steps as soon as possible. Contact Human Resources by e-mail at FMLA/ADA@tcu.edu or call (817) 257-5123.

Sick day call-in - Employees must use the department's protocols and mechanisms in place to report leave on a daily basis. They should be directed to contact Human Resources by e-mail at FMLA/ADA@tcu.edu or call (817) 257-5123, on the third consecutive absence.

a. Direct employees to contact Human Resources when FMLA is triggered as described in Policy 6.020 Family and Medical Leave Act and FMLA's description of Serious Health Condition.
b. Obtain the anticipated leave start date, estimated duration of the leave and anticipated return date as described in Policy 6.015 Sick Leave. For the purpose of privacy, do not ask specific questions about diagnosis, prognosis, treatments, procedures or outcomes. If employee shares this information, it is confidential and should not be further divulged.
c. Schedule a meeting with the employee to obtain information about their workload, work assignments and current deadlines. Make plans to manage the workflow, to avoid impact to the day-to-day operations during their absence.
d. Compliance Training is to be completed in advance of their leave, if the training portal is open prior to the leave start date.
e. Financial Service – outstanding re-imbursements should be submitted for processing prior to the leave.
f. Make sure the Out of Office message on Outlook and telephone extension is activated, also disconnect from any other source of communication where work related discussions are held, (i.e., group chatroom, instant messaging).
g. It is the employee's responsibility to maintain contact with the HR Consultant throughout the leave.
h. Managing Paid/Unpaid Leave
   - *Staff* - Approve accrued leave via my.tcu.edu per the payroll deadlines, unless eligibility requirements are met for other types of leave, (Short-term Disability, or Paid Parental Leave). In these instances, Human Resources manages leave reporting in back-office, **after eligibility is confirmed**.
   - *Faculty* – Paid Medical Leave Requests are to be sent via e-mail and routed up through the department's leadership and on to the Assistant Provost office (Megan Soyer/Mica Bibb) for final approval.
i. Employees are not prohibited from contacting the University, but in order to avoid interference with the certified leave, work related conversation must be avoided.
j. DO NOT contact the employee regarding work related matters, unless cleared through Human Resources first.
k. Employee visits to the University must be coordinated through Human Resources.
l. Human Resources will notify you of their FMLA status and return, soon after it is known.
m. Return to work – Welcome the employee and schedule a meeting to provide information about the workload, work assignments, and upcoming deadlines. Also provide updates on any changes that may have occurred while on leave

University Policies

Policy 6.020 Family and Medical Leave Act Policy
6.015 Sick Leave
Policy 6.001 Staff Vacation, Policy
6.025 Leaves of Absence Policy
6.010 Paid Parental Leave

Federal Law

U.S. Department of Labor
Family and Medical Leave Act & Protections for Individuals under the FMLA

Other

Wellness - See information about Lactation Rooms

FMLA's definitions of a Serious Health Condition

Definitions of a Serious Health Condition *(See 29 C.F.R. §§ 825.113-.115)*
Inpatient Care
• An overnight stay in a hospital, hospice, or residential medical care facility. • Inpatient care includes any period of incapacity or any subsequent treatment in connection with the overnight stay.
Continuing Treatment by a Health Care Provider (any one or more of the following)
Incapacity Plus Treatment: A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves either: o Two or more in-person visits to a health care provider for treatment within 30 days of the first day of incapacity unless extenuating circumstances exist. The first visit must be within seven days of the first day of incapacity; or, o At least one in-person visit to a health care provider for treatment within seven days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the health care provider. For example, the health provider might prescribe a course of prescription medication or therapy requiring special equipment.
Pregnancy: Any period of incapacity due to pregnancy or for prenatal care.
Chronic Conditions: Any period of incapacity due to or treatment for a chronic serious health condition, such as diabetes, asthma, migraine headaches. A chronic serious health condition is one which requires visits to a health care provider (or nurse supervised by the provider) at least twice a year and recurs over an extended period of time. A chronic condition may cause episodic rather than a continuing period of incapacity.
Permanent or Long-term Conditions: A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, but which requires the continuing supervision of a health care provider, such as Alzheimer's disease or the terminal stages of cancer.
Conditions Requiring Multiple Treatments: Restorative surgery after an accident or other injury; or, a condition that would likely result in a period of incapacity of more than three consecutive, full calendar days if the patient did not receive the treatment.