



FAMILY MEDICAL LEAVE
For Employees of Indiana State Government

The FML Questions Agency Management Can and Can't Ask

February 27, 2015



Questions You CAN Ask

- Is the absence related to an FML approval?
- Which FML reason/FML Approval Notice Request ID # is applicable for this absence? (if more than one approval)
- Is the employee requesting use of accrued leave or comp time?
- If absence is for the employee's own serious health condition, what essential functions s/he cannot perform?
- If absence is not for an employee's own serious health condition, who is the employee caring for today & what care will they be providing?
- If absence is for a qualifying exigency, request contact information for third party hosting event or meeting the employee is attending.



Questions You CANNOT Ask

- For what condition or specific reason an employee is taking leave?
- What is wrong with the employee or his/her family member?
- If FML has been approved, do not ask for a doctor's statement. You CAN ask the employee to sign a statement saying they attended a medical appointment pertaining to their FML and providing the date and time.



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Call Ins

- Employees calling in to use intermittent FMLA leave, are required to follow the agency/facility call in procedures.
- Employees who are on a continuous FMLA leave are not required to call in daily.



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Tips and Tidbits

- Employees need to notify supervisors of scheduled appointments in advance.
- If a series of appointments are scheduled, that schedule must be provided.
- If employee has fewer than 30 days notice of appointment, they must provide notice on the same or next day after learning of the appointment.
- Employees must make a reasonable effort to schedule appointments outside of regular work hours. If that's not possible, scheduling them to cause the least disruption to operations.
- It is the responsibility of both the employee and supervisor to make sure that the use of FMLA leave is properly recorded in the time keeping system.



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Have a Question?

Call the SPD FMLA Line

317-234-7955

or toll free

1-855-SPD-INHR

(1-855-773-4647)



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