



FAMILY MEDICAL LEAVE  
For Employees of Indiana State Government

# Overtime & FML

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August 2015



# Overtime & FML

## Two Policies Apply

The State's policies on both FML and Overtime Assignments apply if an employee is unable to work a specific overtime assignment due to his/her own serious health condition or caring for a spouse, child, or parent with a serious health condition. Both policies and procedures for FML and Overtime can be found using the links below.

- <http://www.in.gov/spd/files/fmlrandp.pdf>
- <http://www.in.gov/spd/files/fmlsp.pdf>
- <http://www.in.gov/spd/files/overrandp.pdf>
- <http://www.in.gov/spd/files/overpol.pdf>



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## Not an Exemption



Having FML approval does not mean that you are exempt from ever being *called* to work overtime.

It means that if you must decline an overtime assignment due to your own serious health condition or the need to care for your spouse, child, or parent with a serious health condition, then that refusal to work

- is not a disciplinary offense, and
- does not count as one of the excused refusals available each six months.



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## Overtime Procedure

If your medical condition flares up, or you are needed to care for your spouse, child, or parent at the time the overtime assignment occurs, then the FML approval has two effects:

1. FML is charged for the number of hours you were assigned to work overtime, and
2. Your name is moved on the overtime list as if you did work.



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## Summary

An employee will be charged family-medical leave to cover any overtime assignment declined due to such FML-qualified reason.

- An employee who declines an overtime assignment due to a FML-qualified reason will be charged FML for the number of overtime hours required by the assignment.
- Employees will be moved to the overtime list as if they had worked the assignment.
- This will not be charged as the one (1) refusal allowed in each six (6) month period.



# 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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