

FMLA Decision Tree

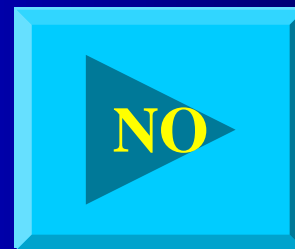
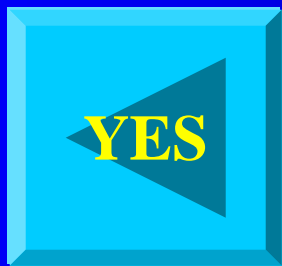
This Decision Tree is to help determine if FMLA is applicable in your office

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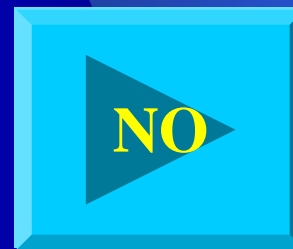
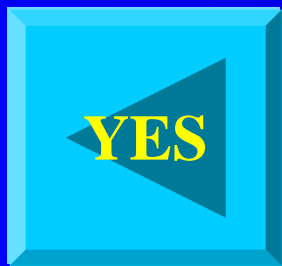
FMLA Decision Tree

Is the leave do to employee's illness, injury, adoption of a child or pregnancy?



FMLA Decision Tree

Is the leave do to a family members illness, injury, pregnancy, or child birth?



FMLA Decision Tree

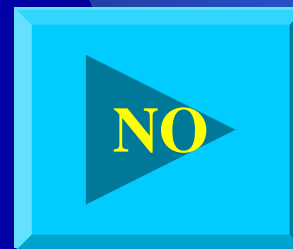
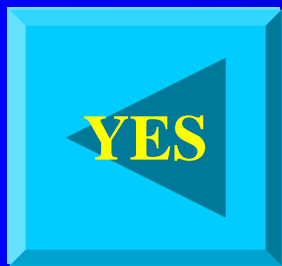
**FMLA not a factor,
consider any ADA or
Rehabilitation Act
Implications**



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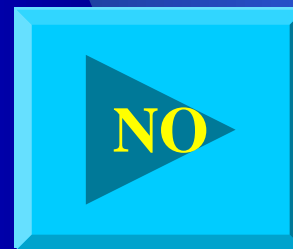
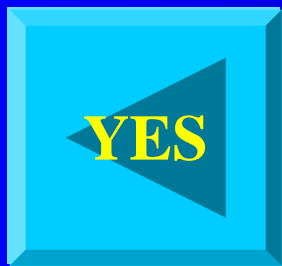
FMLA Decision Tree

Has the employee been employed for the last 12 months and worked at least 1250 hours?



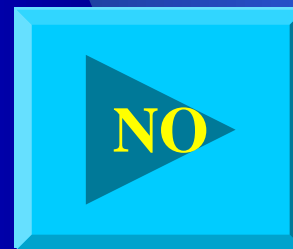
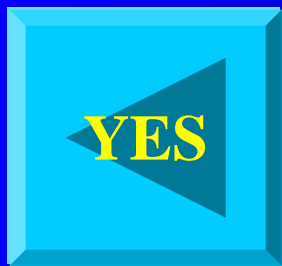
FMLA Decision Tree

Is the leave requested for care of a newborn child or placement for adoption or foster care within 12 months of birth or placement?



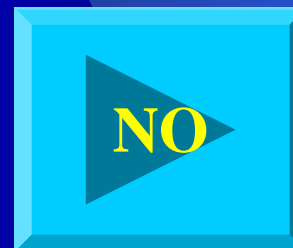
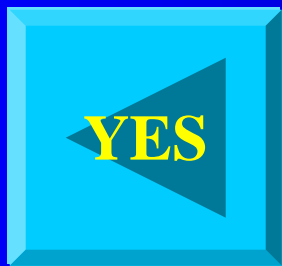
FMLA Decision Tree

Is the leave due to pregnancy?



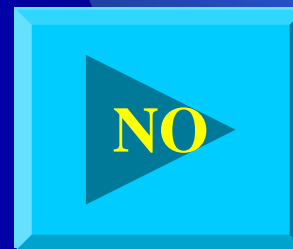
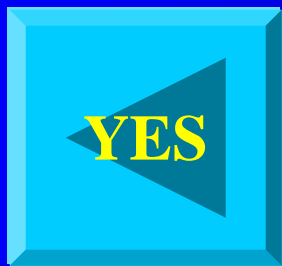
FMLA Decision Tree

Is the leave due to hospitalization in excess of three calendar days and requires treatment of a health care provider?



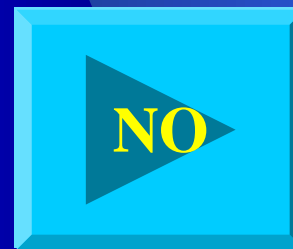
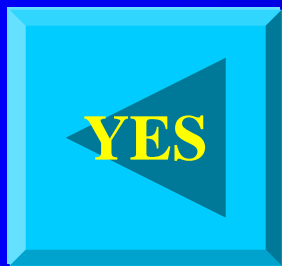
FMLA Decision Tree

Is the leave due to a chronic health condition that requires treatments or cause the employee to take leave intermittently. This includes treatment for substance abuse?



FMLA Decision Tree

Does the FMLA Certification Form support the need for the absence?



FMLA Decision Tree

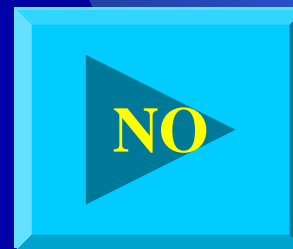
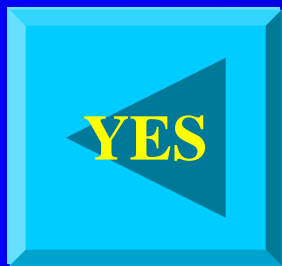
FMLA Probably not applicable in this instance. Further investigation may be required.



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FMLA Decision Tree

FMLA is applicable in this leave instance. Now, has the employee taken a total of 12 weeks FML Leave within the last twelve months?



FMLA Decision Tree

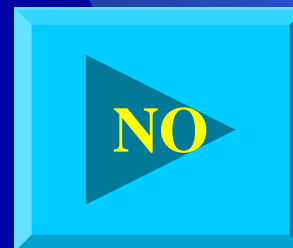
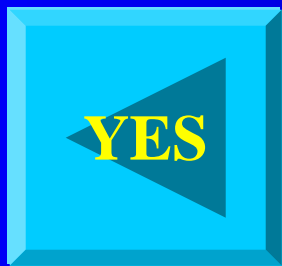
FMLA Leave obligation has already been met and the employee is no longer entitled. Refer to Agreement for other leave options or ADA or Rehabilitation Act implications.



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FMLA Decision Tree

Has the employee taken any FMLA Leave in the last twelve months?



FMLA Decision Tree

Subtract amount of FMLA Leave taken in the last twelve months from the twelve week allotment to determine remaining FMLA eligibility. Employee is eligible for up to remaining time for absence under FMLA either all at once or intermittently.



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FMLA Decision Tree

Employee is eligible for up to twelve weeks of absence under FMLA either all at once or intermittently.



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