



SF STATE SUPERVISOR'S ROLE IN REQUESTING CSU FAMILY MEDICAL LEAVE (FML)

Summary: Learn about your role as a supervisor in working with Human Resources and your employee who is requesting a leave of absence under CSU Family Medical Leave (FML).

What should I do if I learn about an employee needing time off under CSU FML? Review the process as well as your responsibilities below:

Recognize an employee's possible need for time off under CSU FML and notify the Leaves Department immediately.

- A. **Inform** the Leaves Department immediately if you become aware of an employee who has taken or intends to take time off for a CSU FML qualifying reason. If you recognize that there may possibly be a need for CSU FML, refer employee to the Leaves Department. Keep in mind that an employee need not expressly state the leave is CSU FML related. It is the employer's responsibility to follow up if the employee indicates that he or she needs time off for a reason that may qualify under CSU FML. Such knowledge may come in the form of verbal statements, information obtained from a spouse or relative, knowledge of a hospital stay, or absence from work for a serious illness of more than three (3) working days. CSU designates CSU FML leave following a three (3) day absence (may vary depending on collective bargaining agreement).
- B. **Communicate** with your employee the necessity to notify the Leaves Department in a timely manner and comply with policies and procedures related to CSU FML requests. If an employee is placed on a medical leave, the department is not allowed to contact the employee in regards to any work related items, including sending e-mail communications and/or contacting the employee via phone.

Manage the employee through the leave.

- A. **Do not ask** the employee about his or her medical condition or the specific medical condition of the qualifying family member. Under California law, the employer is only allowed to ask the employee to provide certification of a serious health condition, and may not ask about the diagnosis or medical condition giving rise to the leave. Employees themselves may choose to disclose more information. Even if employees choose to make this disclosure to their supervisor or other employees, the supervisor should not share or further disclose this information to others.
- B. **Maintain information confidentially** and discuss only with the Leaves Department. All medical certification documents should be submitted by the employee directly to the Leaves Department. Details surrounding an employee's request for leave should be maintained as confidential and not discussed with department personnel. If another employee asks where the employee is, the supervisor should indicate hi/she is on leave and nothing more.
- C. **Document** the dates of the employee's leave and ensure that Absence Reports are completed accurately.
- D. **Contact** the Leaves Department immediately should you have any questions about the dates or duration of the leave. Remember; employees on intermittent leave are still required to follow



proper call-in procedures. If employees are not following policy, notify Human Resources as soon as possible.

- E. **Communicate** with your department timekeeper to ensure that leave credits are applied appropriately if employee was approved under intermittent leave. Keep record of Absences and make sure the employee dose not exceed the approved time.

Employee's Return to Work

A. Confirm with the Leaves Department the employee's return to work date and status.

- **Employees on leave due to their own serious health condition and returning to work without any restrictions** must submit a Release to Return to Work form completed by their treating physician (or a doctor's note) and submit to the Leaves Department prior to their return to work date. The Leaves Department will notify the department of return. If the employee returns to work without the Leaves Department notice, please contact the Leaves Department to ensure, that we have the appropriate release to work note.
- **Employees on leave due to their own serious health condition and returning to work with restrictions** must request their health care provider to complete the Request for Certification under FEHA and ADA form and submit to the Leaves Department prior to their return to work date. Any restrictions will be evaluated as a request for reasonable accommodation by our Disability Program Resource Center.
- **Participate in the Interactive Process** – The Office of our Disability Program resource center will contact the department to discuss your employee's restrictions upon return to work.

Should you become aware of an employee's need to submit a request for leave or if you have questions about CSU FML, please contact the Leaves Department:

- Leaves Department at leaves@sfsu.edu
- Martha Paul, Leaves Manager mcpaul@sfsu.edu
- Gauri Durgani, Leaves Specialist gdurgani@sfsu.edu