

Family and Medical Leave Act (FMLA)/Oregon Family Leave Act (OFLA) Information

Human Resources has determined that you are eligible for leave under the Family and Medical Leave Act (FMLA) and/or Oregon Family Leave Act (OFLA). You are eligible to take up to twelve (12) weeks of unpaid leave for an FMLA and/or OFLA qualifying event, for your own or a family member's serious health condition. Please read the enclosed "Notice of Eligibility/Rights and Responsibilities (FMLA)" and/or "State Leave Request Notice".

In addition, please read the following as it provides important information regarding your responsibilities while on leave.

Protected Leave Request Form

Complete and submit to your supervisor for signature, and return the completed form to HRleaves@uoregon.edu by the given due date. If you have already submitted a required form, a new form is **not** required.

Certification of Physician and Practitioner (a.k.a. Medical Certification)

Your immediate action is required. Approval of your FMLA and /or OFLA leave is subject to receipt of the Medical Certification Form by the deadline outlined on the enclosed "Notice of Eligibility/Rights and Responsibilities" and/or State Leave Request Notice". The Medical Certification Form is available online at <http://hr.uoregon.edu/FMLA-forms>, and should be completed by your health care provider and submitted to Human Resources, 5210 University of Oregon, Eugene, OR 97403 or via fax 541-346-2548.

Failure to submit a Medical Certification Form by the stated deadline may result in denial of your FMLA and/or OFLA leave.

If the requested medical certification is incomplete or insufficient, you will have seven (7) days to submit a corrected certification, or your leave may be denied.

Recertification is required if circumstances change significantly and/or you need to extend leave beyond what was stated on the previous medical certification. This includes chronic conditions and permanent/long-term conditions that require treatment and supervision.

Do not give a copy of your medical certification to your supervisor. Completed medical certification forms are kept in secure, separate, confidential medical record files in Human Resources and should not be kept in your personnel file within your department.

Tracking of FMLA and/or OFLA Leave

While on an approved FMLA and/or OFLA leave you are required to complete a FMLA and/or OFLA Attendance Record (even if no hours were used) and obtain your supervisor's signature. Your

supervisor must submit the form to HRLeaves@uoregon.edu or fax to 541-346-2548 prior to the 10th of each month (i.e. the January attendance record must be submitted to HR by February 10). The FMLA and/or OFLA Attendance Record is available online at <http://hr.uoregon.edu/FMLA-forms>.

The attendance record is verification of the total FMLA and/or OFLA leave hours used each month and if it is not submitted to Human Resources by the deadline, your leave may be denied.

In addition to submitting the required FMLA and/or OFLA Attendance Record, it is critical that you complete and submit your monthly timesheet to your departmental payroll administrator. Failure to do this could lead to overpayment of earnings, which you would be required to repay to the University.

Communicate any changes in leave or medical status with your supervisor and the HR Medical Leaves Coordinator at HRLeaves@uoregon.edu or 541-346-2950.

Intermittent Leave Call-In Procedures

If you are on an approved intermittent leave, you must follow your department's normal call-in procedure and identify if the absence is related to FMLA/OFLA leave. If you are unsure of the procedures, contact your supervisor.

Continuation of Income

While on an approved FMLA/OFLA leave, in accordance the appropriate collective bargaining agreement, you may use your accrued paid leave. Detailed information is available online at <https://hr.uoregon.edu/employee-labor-relations/employee-groups-cbas>.

To ensure accuracy of your pay, coordinate and report the use of paid leave with your supervisor and departmental payroll administrator. Failure to report leave usage on a monthly basis could lead to overpayment of earnings, which you would be required to repay to the University.

Hardship Leave

If you exhaust your accumulated paid leave prior to returning to work, you may be eligible to receive hardship leave donations according to SEIU CBA, Article 40; Section 8. Employees receiving Workers' Compensation, or short or long-term term disability, are not eligible to receive donated leave. Accumulated paid leave includes but is not limited to sick, vacation, personal and compensatory leave accruals. Application and information is available at <https://hr.uoregon.edu/hr-programs-services/employee-leaves/hardship-leaves>.

To request hardship leave donations, submit the Hardship Leave Application along with a written statement from your treating physician to the HR Medical Leaves Coordinator at HRLeaves@uoregon.edu or fax to 541-346-2548.

The physician statement must certify that your illness or injury will continue for at least fifteen (15) calendar days beyond the exhaustion of your own accumulated paid leave. Donated leave may be used intermittently.

Short Term Disability Benefits

If you are currently enrolled in Short-Term Disability (STD) and would like to file a claim, contact The Standard Insurance Company at 800-842-1707. You will need to provide the below information.

- Employer – State of Oregon
- Group Policy Number – 442210

If approved, STD usually pays 60% of your weekly wages earned prior to the disability. In most cases, a seven (7) day waiting period is required before STD benefit payments begin. During the waiting period, you may use accrued sick leave or any other available accrued paid leave. Please note; if you continue to use accrued sick leave beyond the seven (7) day waiting period, it will reduce your STD benefit payments. You have the option to use other types of accrued paid leave (vacation, comp or personal) without affecting your STD benefit payments. The use of accrued paid leave is not required while receiving STD benefits. Additional information is available at <http://hr.uoregon.edu/benefits/optional-benefits/disability-insurance> or contact Kathryn Daniel at kdaniel@uoregon.edu or 541-346-2964.

Health Insurance – Benefit Continuation

While on an approved FMLA and/or OFLA leave, the university must continue to pay its portion of the monthly premiums for your medical, dental and basic life insurance. You must also continue to pay your share of the monthly premiums. ***Failure to pay premiums will result in termination of health insurance coverage.***

If you have a Flexible Spending Account, contact the Benefits Office, 541-346-3085, immediately for information regarding continued participation while on leave. Missed contributions could affect your ability to use your account while on unpaid leave.

If you return to work during the twelve (12) weeks allowed under FMLA leave or the next scheduled working day after the FMLA period ends, active benefit coverage will continue. If you do not return during or immediately after exhaustion of your FMLA and/or OFLA, you must have at least 80 hours in the pay period in which you return to qualify for benefits for the following month.

Returning to Work

Work with your healthcare provider to determine an appropriate return to work date. Your healthcare provider must submit an *Employee Status Report (ESR)* Form to the HR Medical Leaves Coordinator at least two (2) days before you are released to return to work, with or without restrictions or reasonable work accommodations. The ESR form is available online at <http://hr.uoregon.edu/FMLA-forms> and must be mailed to 5210 University of Oregon, Eugene, OR 97403 or faxed to 541-346-2548.

In some cases, if you are unable to perform the essential functions of your job, your department may not be able to return you to your regular position. If you have questions or concerns, contact Martin Stanberry in Human Resources at 541-346-2985 or martin@uoregon.edu.

Job Reinstatement Right

If you return during or immediately after your protected medical leave ends, you will be returned to your same or similar position, if available, and in accordance with the applicable collective bargaining agreement.

Americans with Disabilities Act (ADA) Accommodation

Employees who need FMLA or OFLA leave to address their own medical condition may also qualify as an individual with a disability eligible for reasonable workplace accommodations. In some circumstances, an accommodation may help an employee return to work before they are fully recovered or help overcome long-term limitations impacting their ability to perform the functions of their position. The university may also provide leave beyond the twelve (12) weeks protected under the FMLA or OFLA as an accommodation. Information about the university's accommodation process is online at <https://aaeo.uoregon.edu/content/interactive-disability-accommodation-process> . If you have questions, please contact ADA Coordinator, Martin Stanberry by phone (541-346-2985) or email (martin@uoregon.edu). An Employee Request Form, Accommodation (Disability) is enclosed.

Questions:

FMLA and/or OFLA Leaves: Kenny Ly – (541) 346-2950 or kly@uoregon.edu or Heather Larson – (541) 346- 2671 or hcooksle@uoregon.edu

Health Insurance & Short-Term Disability: Kathryn Daniel – (541) 346-2964 or kdaniel@uoregon.edu

Workers' Compensation: Trish Lijana – (541) 346-2907 or trish@uoregon.edu

ADA Accommodations: Martin Stanberry – (541) 346-2985 or martin@uoregon.edu

Other Helpful Resources

HR Employee Leaves - <https://hr.uoregon.edu/hr-programs-services/employee-leaves>

HR Employee Leave Forms - <http://hr.uoregon.edu/FMLA-forms>

UO Bargaining Units & CBAs - <http://hr.uoregon.edu/employee-labor-relations/uo-bargaining-units-cbas>

Human Resources Employee and Labor Relations - <http://aaeo.uoregon.edu/content/accommodations> for information on workplace and ADA accommodations

Safety and Risk Services - <http://safety.uoregon.edu/injury-reporting-and-workers-compensation> for information on Injury Reporting and Workers' Compensation

HR Employee Wellness - <https://hr.uoregon.edu/hr-programs-services/work-life-resources/employee-wellness>