



## Department of Administrative Services

*Empowering People  
Collaboration  
Customer Service*

# Employee Rights and Responsibilities when Requesting Leave under the Family Medical Leave Act (FMLA)

The Family and Medical Leave Act (FMLA) is a federally mandated program entitling eligible employees to unpaid, job protected leave for specific personal and family medical and military reasons. In addition, FMLA allows for continued group health insurance coverage under the same terms and conditions as if the leave had not been taken. If eligible, State of Iowa employees may receive up to 12 work weeks of FMLA leave in a fiscal year and up to 26 weeks of Military Caregiver Leave in a single 12-month period.

## Your Responsibilities:

- Complete Forms – This includes Health Certification (CHCP) including both your employee statements and your provider statements
- Follow Reporting Procedures – Outlined in the State of Iowa handbook and your agency-specific policies
- Reach out to your Supervisor and the DAS Leave Administration Team – they will need to know the dates you will be gone and will provide you with information related to insurance, leave, and other related programming

## Important Notes:

- Your provider does have the right to charge you a fee for completion of FMLA paperwork which is not reimbursed by the State but can be submitted through your Health Flexible Spending Account if you are enrolled in one.
- Your supervisor may ask you the following:
  - What is the reason for your absence?
  - Will you or your family member see a doctor?
  - What are the dates of your actual or anticipated absence(s) and when did you first know you would need to be absent?
  - Have you previously taken leave for this condition?
  - Why are you unable to perform your job?
- You may need to follow up with the DAS Leave Administration Team if...

## FMLA Leave Types:

What type of leave are you requesting?

- Continuous leave is defined as absence for a continuous period of time, exceeding three calendar days, up to 12 weeks in a fiscal year.
- Intermittent leave is defined as being absent in separate blocks of time. This can be hourly, daily or weekly increments and is often used for recurring medical appointments, flare-ups of a condition, or ongoing treatment. For this type of leave, you and your provider will need to specify whether you will have periods of incapacity and/or absences related to office visits.
  - **Incapacity** is defined as flare-ups of your condition that require you to be off work, aside from your office visits.
  - **Office visits** are defined by your provider with the frequency they will need you to return to their office for checkups.
  - **Reduced schedule** is defined as reducing the number of hours you work per day or per week as instructed by your provider related to our recovery period.
- For whom are you requesting leave? FMLA leave can be requested for you, your spouse, a parent, your child under age 18, or an adult child who is incapable of self-care with a serious health condition.

Please visit the [website](#) for more details about Military exigency and/or other qualifying relationships.

## Common Absences to Report:

- More than three consecutive calendar days absent requiring prescriptions or doctor visits
- Medically necessary surgeries, procedures or hospitalizations

- Pregnancy – at your first related absence from work
- Chronic conditions requiring two or more visits per year for the same condition
- Permanent or long-term conditions requiring ongoing supervision from your provider, such as Alzheimer’s disease, cancer, etc.

**These conditions are NOT typically FMLA covered:** Colds, upset stomachs, ear aches, headache (other than migraine), routine dental and orthodontic care, or cosmetic treatments other than restorative.

**Be sure to contact DAS Leave Admin Team and consult the [Decision Tree](#) for more information regarding what to report.**

## The process:

- Initiate FMLA Leave Request in Workday
  - Makes a preliminary decision on whether this likely meets FMLA criteria
  - Up to 30 calendar days if known or with in 2 business days if unanticipated
  - DAS Leave Admin Team sends your certification packet to you via Workday.
- Upon receipt of your certification packet
  - Review your rights and responsibilities
  - Complete the employee portion of the certification
  - Have your provider complete their portion of the certification
  - Confirm that they match, no blanks are left and dates or details are not ambiguous
  - Upload your completed certification to Workday or your doctor may fax to 515-242-5070
- Begin reporting your absences right away. Once you have initiated your request, you are considered provisionally approved. The DAS Leave Admin Team will make their determination later but you must follow reporting processes right away.
- Your certification may be denied for several reasons, some of which are:
  - Certification not returned
  - Insufficient information

**If you receive a denial, review it carefully and discuss with either the DAS Leave Administration Team and your supervisor or your HRA to see if there are other actions you need to take.**

## Helpful Hints:

- **Maintain control and keep copies of your entire packet** – Have the provider complete the packet while you are there and review their information to ensure it is completed. Remain in charge of submitting the full and completed packet back to the DAS Leave Administration Team. Keep a copy!
- **Common reasons your paperwork gets returned** - Your paperwork may be returned if the provider information is not clear and accurate (for example, dates must be specific: “April xx, 20xx – May xx, 20xx” instead of “4-6 weeks”). While still at the provider’s office, it will be helpful to review the documents to be sure information is complete, clear, and detailed.
- **Intermittent Leave** – If your need for leave is on an intermittent basis, the provider must complete both sections of the certification under intermittent leave, incapacity and office visit, even if one type of leave is not needed (for example, physical therapy is the only reason you will need to miss work: the incapacity parameters should be completed with zero’s and the office visits completed according to your providers' treatment guidance).
- **Pregnancy/Maternity** – The first absence from work due to a pregnancy should be reported on your absence calendar in Workday as intermittent FMLA.  
Intermittent leave for prenatal visits is part of the FMLA. When a claim is opened, make sure you are stating the need for time prior to your delivery is for office visits. Have your provider fill out the office visit parameters with as much detail as they can along with a due date. A return to work form is required to indicate the conclusion of your recovery period and the beginning of your bonding time.
- **Travel time and HRIS time matching** - Discuss with your provider including travel time in. For example, if your appointment is two hours from where you live, have your provider include that in the amount of time they indicate for your appointment.
- **Self-report window and reporting timelines** - You only have two business days to report your FMLA related absence within Workday and you must also follow your agency absence reporting procedures.

This is intended as a quick reference guide. For more detailed information, please visit: <https://das.iowa.gov/fmla>