

State of Iowa
Family and Medical Leave Act (FMLA) FAQs
July 11, 2019

The Family and Medical Leave Act (FMLA) is a federally-mandated program that entitles eligible employees to unpaid, job-protected leave for specified family, medical, and military reasons, as well as continued group health insurance coverage under the same terms and conditions as if leave had not been taken. Eligible State of Iowa employees are entitled to up to 12 work weeks of FMLA leave in a fiscal year (up to 26 weeks for military caregiver leave in a single 12-month period).

To ensure FMLA is administered consistently and in compliance with federal requirements Reed Group began managing FMLA absences for Central Payroll and DOT employees, effective July 1, 2015.

These FAQs have been updated and supersede all prior FAQs.

Not sure if you are eligible for FMLA or have an FMLA-qualifying condition?
Consult the [FMLA Decision Tree](#) for guidance, or contact Reed Group toll-free at (844)507-5393 (8 a.m.-8 p.m., M-F).

Frequently Asked Questions	
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1) BASIC FMLA TERMS/DEFINITIONS

What is FMLA, and how does it impact State of Iowa employees?

FMLA is a federally-mandated program requiring employers to provide up to 12 work weeks of unpaid, job-protected leave per year to eligible employees absent from work due to an FMLA-qualifying reason.

- FMLA protects an employee’s job and requires the State to continue to pay its share of health and dental insurance premiums while an employee is on FMLA leave.
- Eligible employees are entitled to up to 12 workweeks of FMLA leave in a fiscal year.
- FMLA leave runs concurrently with paid leave. The State of Iowa requires employees to use accrued sick leave, vacation time, comp time, banked time, and/or Iowa United Professionals (IUP) personal time while on FMLA. Qualified employees may retain up to two weeks (80 hours) of accrued annual leave (vacation) once each fiscal year ([Leave Retention](#)). Employees cannot retain more leave than they have accrued at the time they complete the Leave Retention form.
- FMLA must be recertified annually, and employees are responsible for certification costs.
- FMLA is not exercised at the employee’s discretion. Federal FMLA regulations require the employer to designate FMLA if sufficient information is known and FMLA applies to the absence.
- Regulations also require employees to provide sufficient information about absences to permit the employer to make an FMLA determination.
- As a third-party administrator, Reed Group is considered an agent of the State of Iowa (the employer) and must be notified of absences that may be FMLA-qualifying in order to make a determination.



For State policy and personnel questions, contact DAS-HRE: FMLA@iowa.gov

Any requests for exceptions, 2nd opinions, or FMLA designations must be submitted by the agency’s Human Resources Associate (HRA) to FMLA@iowa.gov



For FMLA determinations, contact Reed Group:
(844) 507-5393 (8 a.m.-8 p.m., M-F)
FMLA Absence Management: stateofiowa.leavepro.com
Fax: (720) 456-4790

Who is eligible for FMLA?

To be eligible for FMLA leave, an employee must:

- have worked for the State for at least 12 months in the past seven years; and
- have worked at least 1,250 hours during the 12 months prior to the start of FMLA leave.

ALL employees must report FMLA-qualifying absences to Reed Group. Reed Group will determine eligibility. If an FMLA-qualifying condition is denied due to eligibility but expected to continue past the date the employee becomes eligible, the employee must contact Reed Group again after the eligibility date is reached.

What circumstances or conditions qualify for FMLA protection?

FMLA applies when an eligible employee has an absence from work due to any of the following qualifying conditions involving the employee or family member as defined by FMLA:

- pregnancy, birth, adoption or foster placement, and bonding with a child;
- a serious health condition of the employee or to care for a spouse, parent, child under 18, or adult child over 18 incapable of self-care with a serious health condition*;
- military - qualifying exigency (employee's spouse, parent, or child is military member) or military caregiver leave to care for ill or injured covered service member or veteran.

Not sure if you have an FMLA-qualifying absence?

Refer to the [FMLA Decision Tree](#) or contact Reed Group toll-free (844) 507-5393 (8 a.m.-8 p.m., M-F).

* Persons who stand or stood *in loco parentis* qualify for FMLA. FMLA regulations define *in loco parentis* as "including those with day-to-day responsibilities to care for or financially support a child." (29 C.F.R. § 825.122(c)(3).) Employees who have no biological or legal relationship with a child may stand *in loco parentis* to the child and be entitled to FMLA leave. Similarly, an employee may take leave to care for someone who stood *in loco parentis* to the employee when the employee was a child, even if they have no biological or current legal relationship.

What constitutes a "serious health condition"?

Many health conditions qualify as a serious health condition (SHC) under FMLA. In addition to pregnancy, a serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves any of the following:

1. Incapacity and Treatment: Incapacity of more than three calendar days – AND – treatment two or more times by a health care provider within 30 days of the first day of incapacity – OR – treatment by a health care provider at least once that results in a regimen of continuing treatment under the supervision of the health care provider. (The first in-person visit must occur within seven days of the first day of incapacity for FMLA to apply.)
2. Chronic conditions: Conditions requiring two or more health care provider visits for treatment during a 12-month period; continue over an extended period of time; or may cause episodic rather than continuing periods of incapacity.
3. Multiple treatments: Conditions requiring multiple treatments for restorative surgery (after accident or other injury); or a condition that without treatment would likely result in more than three full calendar days of incapacity (such as physical therapy for arthritis, dialysis for kidney disease, chemotherapy for cancer, etc.).
4. Permanent or long-term conditions: Conditions for which treatment may not be effective; requires the continuing supervision of a health care provider; or active treatment is not required (e.g., Alzheimer's, severe stroke, terminal stages of a disease).



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5. Hospitalization: An illness, injury, impairment, or physical or mental condition involving inpatient care (overnight stay in a hospital, hospice facility, or residential care facility), and any subsequent treatment in connection with inpatient care.

Not sure if you have a serious health condition?

Refer to the [FMLA Decision Tree](#) or contact Reed Group toll-free (844) 507-5393 (8 a.m.-8 p.m., M-F).

How does FMLA apply to Pregnancy, Birth, Adoption, Bonding?

For the purposes of FMLA, pregnancy and recovery from childbirth are considered serious health conditions, and routine prenatal doctor visits are covered under FMLA. The first absence from work due to a pregnancy should be reported to Reed Group.

- Eligible employees are entitled to up to 12 workweeks of job-protected, unpaid leave for the birth of a son or daughter or placement of an adopted/foster son or daughter, to bond with a newborn or newly placed son or daughter, or to care for a son or daughter with a serious health condition.
- A copy of a birth certificate or adoption paperwork is required.
- If both spouses are employed by the State and FMLA eligible, they are limited to a combined maximum of 12 weeks of leave during any 12-month period for bonding with a healthy child after birth, adoption, or foster care placement.
- Using intermittent leave to bond with a healthy child may be approved or denied at the employer's discretion.

How does FMLA apply to Workers' Compensation?

FMLA and workers' compensation run concurrently. Sedgwick reports continuous workers' compensation leaves to the Reed Group; generally a Certification of Health Care Provider is not required. **Sedgwick does not report intermittent workers' compensation absences to the Reed Group.** Employees or supervisors must call the Reed Group to initiate a leave and to report intermittent workers' compensation absences.

What is considered the "effective date"?

The effective date is the date the employee first used FMLA leave.

What constitutes "incapacity"?

For FMLA purposes, incapacity is defined as the "inability to work, attend school, or perform other regular daily activities due to the serious health condition, treatment therefore or recovery therefrom."

How are "family members" defined?

For the purposes of FMLA, family members include:

- An employee's spouse;
- An employee's child under the age of 18, unless the child over 18 is incapable of self-care;
- An employee's parent, or individual who stood *in loco parentis**; or
- A child for whom an employee is standing *in loco parentis*.*

* FMLA regulations define *in loco parentis* as "including those with day-to-day responsibilities to care for or financially support a child." (29 C.F.R. § 825.122(c)(3).) Employees who have no biological or legal relationship with a child may stand *in loco parentis* to the child and be entitled to FMLA leave. Similarly, an employee may take leave to care for someone who stood *in loco parentis* to the employee when the employee was a child, even if they have no biological or current legal relationship.



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Are married couples required to share FMLA leave entitlement?

Spouses who are eligible for FMLA leave and are employed by the same employer are limited to a combined maximum of 12 weeks of leave during any 12-month period, if the leave is taken:

- for birth of the employee's son or daughter or to care for the child after birth;
- for placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement;
- to care for the employee's parent with a serious health condition; or
- to care for a covered service member with a serious injury or illness incurred in the line of duty (26 workweeks of leave).

What conditions are typically NOT covered?

Under FMLA, the facts of each circumstance must be analyzed in determining whether someone has a serious health condition. Certain ailments don't typically qualify as serious health conditions, including:

- colds, flu, earaches;
- upset stomachs and minor ulcers;
- headaches (other than migraines);
- routine dental or orthodontic problems or periodontal disease; and
- cosmetic treatments (other than for restorative purposes), unless complications arise or inpatient care is required.

Under certain circumstances, these conditions may qualify. For example, an upset stomach might be a symptom of Crohn's disease or colon cancer. The facts always dictate whether a particular condition constitutes a serious health condition.

What are Military Leave Entitlements – qualifying exigency vs. caregiver leave?

Qualifying exigency leave allows eligible employees to take up to 12 workweeks of leave for absences related to the overseas deployment of an employee's military family member (spouse, child of any age, or parent), such as attending military sponsored functions, making appropriate financial and legal arrangements, and arranging for alternative childcare. Exigency leave may only be used by eligible family members. It does not apply to an employee's deployment.

Military caregiver leave allows eligible employees to take up to 26 workweeks of leave during a "single 12-month period" to care for a covered service member with a serious injury or illness, when the employee is the spouse, son, daughter, parent, or next of kin of the service member. The "single 12-month period" for military caregiver leave is different from the 12-month period used for other FMLA leave reasons.

2) REPORTING PROCEDURES

What absences must be reported to Reed Group?

Employees must notify Reed Group of any potential FMLA-qualifying absences involving the employee, including intermittent workers' compensation absences, or the employee's immediate family member with:

- a serious health condition (consult the [FMLA Decision Tree](#) or contact Reed Group: (844) 507-5393;
- pregnancy, birth, adoption, foster care, bonding; or
- military exigency, caregiver leave, or health condition due to military service.



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*Not sure if you have an FMLA-qualifying absence?
Refer to the [FMLA Decision Tree](#) or contact Reed Group toll-free (844) 507-5393 (8 a.m.-8 p.m., M-F).*

How should absences be reported to Reed Group?

As a best practice, it is recommended that FMLA leaves be initiated via Reed Group's dedicated toll-free telephone – (844) 507-5393 (answered 8 a.m.-8 p.m., M-F; after-hours voicemail) – and subsequent absences related to the FMLA case be reported via the online portal – stateofiowa.leavepro.com.

How soon does Reed Group require notification?

Employees must report absences to Reed Group within 30 calendar days before or within two business days from the start of an FMLA-qualifying absence to determine whether FMLA is applicable. Absences reported beyond the two business day deadline will be denied coverage unless there are extenuating circumstances.

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When do I notify Reed Group vs. my employer?

- You must report all absences to your employer and continue to follow your agency's attendance policies and procedures.
- You must report all absences which have the potential to be FMLA-covered, including absences related to workers' compensation, to Reed Group for eligibility determination, regardless of your FMLA eligibility status.
- FMLA-qualifying absences must be reported to Reed Group within 30 calendar days prior to a planned absence, at the time of the absence, or up to two business days after the start of an unplanned absence.
- Absences exempt from FMLA should not be reported to Reed Group.
- Consult the [FMLA Decision Tree](#) for guidance or contact Reed Group: (844) 507-5393.

What information is required when calling Reed Group?

Reed Group will ask for:

- Employee name;
- Last four digits of the employee's Social Security number;
- Home or personal cell phone number;
- Job information (date of hire, job title, part- or full-time, etc.);
- The state in which the employee works (Some employees work in a state other than Iowa);
- The type of leave needed (intermittent, continuous, or reduced schedule); and
- Information about leave usage.

If I need to report an absence due to a medical condition, what information will I need to provide?

Let Reed Group know your absence is due to a medical condition, along with the dates of absence(s) and the expected length of the absence. Reed Group will send a packet of information, including paperwork for you to complete and a Certification of Health Care Provider form for your health care provider to complete.

An employee has 15 calendar days from his or her first date of absence or the date the leave is initiated, whichever is later, to return this paperwork to Reed Group for an FMLA determination. The State does not review employee's medical information for FMLA.



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How are workers' compensation absences reported?

- FMLA and workers' compensation run concurrently.
- Employees on continuous workers' compensation should contact Reed Group to initiate a leave. If Reed Group has received information about the workers' compensation absence from Sedgwick, a Certification of Health Care Provider will not be requested.
- Employees should report all intermittent workers' compensation absences to Reed Group. A Certification of Health Care Provider may be requested.

3) DETERMINATION /CERTIFICATION PROCESS

What happens once Reed Group receives my request?

When Reed Group receives notice of an absence, it will:

- determine FMLA eligibility – Reed Group has five business days to notify you and your supervisor of the eligibility determination (worked 12 months and 1,250 hours) and provide notice of your rights and responsibilities;
- determine if FMLA applies to the absence – Reed Group's intake process will determine if your circumstance meets FMLA criteria;
- issue FMLA certification paperwork and required notices – if your circumstance qualifies for FMLA, Reed Group will open an FMLA case file and generate a packet of information they need you to complete so they can make an FMLA determination. This packet will include a Certification of Health Care Provider (CHCP) form to be completed by your healthcare provider. This paperwork must be provided to you within five business days. You must return the completed forms to Reed Group within 15 calendar days from your first date of absence or the date the leave is initiated, whichever is later. Reed Group will not request certification for requests to bond with a healthy newborn child or a child placed for adoption or foster care. Reed Group may request documentation to confirm the family relationship. If you're unable to return any requested paperwork by the communicated deadline, contact Reed Group immediately;
- request military paperwork (if applicable);
- receive and review FMLA certifications and other documentation for FMLA determination; and
- issue all required notices – Reed Group must provide notification of FMLA approval or denial within five business days of receipt of **complete and sufficient** certification documentation. Incomplete information may cause delays or denial of FMLA coverage.

What type of notification does Reed Group send and what is included?

Reed Group will provide notices to you, your supervisor, and your human resources contact through each step of the process (notification, FMLA eligibility, FMLA approval, etc.). You may choose to receive notices from Reed Group via mail, personal email, or work email. No medical information will be included in notices sent to supervisors or human resources contacts.

Types of Notifications:

- Eligibility – Advises about your eligibility for FMLA. The notice will explain if you are eligible for a particular leave and the dates you requested leave.
- Determination – Advises a determination has been made regarding your leave.
- Intermittent Time Off Request – Advises you contacted Reed Group to request intermittent time off.
- Extension Request – Advises you have requested an extension of your FMLA leave.
- Form Reminder – Advises Reed Group has not received required documentation.
- Leave Exhaustion Approaching – Advises your leave exhaustion date is approaching.
- Leave Exhaustion – Your FMLA leave has exhausted.



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Provisional approval – will absences be FMLA-covered during the certification process?

You are provisionally entitled to FMLA leave, including job protection and maintenance of group health insurance benefits:

- during the time between the eligibility determination and receipt of certification paperwork;
- pending receipt of the second or third medical opinion; or
- pending authentication or clarification of a medical certification.

If the certification does not ultimately establish your entitlement to FMLA leave, the leave shall not be designated as FMLA leave and may be treated as paid or unpaid leave under the State of Iowa’s established leave policies.

Certification period – how long is the certification valid?

FMLA certification is valid for up to one year. A new certification will be required at your first absence after the certification expires. If your need for leave continues for an extended period of time, or if it changes significantly, Reed Group may ask you to provide an updated certification.

If your health care provider specifies an end date for the period of incapacity on the certification, Reed Group will approve your leave period per your provider’s certification. However, if your provider does not specify the end date of the period of incapacity due to the condition, and the condition is not specified as chronic or lifelong, Reed Group will send you a notification letter to request specific additional information regarding duration. For chronic or lifelong conditions, the standard certification period is 12 months.

Certification fees – what if my provider charges a fee to complete FMLA paperwork?

You are responsible for any costs to obtain FMLA certification, including any fees your health care provider may charge to complete FMLA forms.

Processing timeframes – how long does the certification process take and are there time limits?

- You must notify Reed Group of FMLA-qualifying absences within 30 calendar days before an FMLA-qualifying absence (if known) or within two business days after the start of an FMLA-qualifying absence.
- Reed Group has up to five business days to notify you, your supervisor, and your Human Resources Associate (HRA) about your eligibility, and send you FMLA certification forms and a notice of your rights and responsibilities.
- You have 15 calendar days from your first date of absence or from the date your leave is initiated, whichever is later, to provide the completed forms to Reed Group.
- If Reed Group receives incomplete documentation, they will return the forms to you. You then have seven calendar days to return the completed forms.
- Reed Group has five business days from receipt of completed certification forms to notify you, your supervisor, and your HRA of FMLA approval or denial.

Can Reed Group contact my doctor?

If you submit a complete and sufficient certification signed by your health care provider, Reed Group may not request additional information from your health care provider unless you request otherwise.

If the Certification of Health Care Provider (CHCP) form is incomplete or insufficient, Reed Group may return the form to you for clarification by your health care provider. You will have seven calendar days to provide additional information or clarify information in the certification. Contact Reed Group immediately if you’re unable to provide the information within seven calendar days. Incomplete information may cause delays or denial of FMLA coverage.



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Reed Group may contact your health care provider for **authentication** or **clarification** of a medical certification (CHCP) in compliance with the Health Insurance Portability and Accountability Act (HIPAA).

Your direct supervisor is prohibited from contacting your health care provider.

Will Reed Group have access to information about my prescriptions and chronic illnesses?

The CHCP form only requests the information needed to make an FMLA determination. Reed Group will not request prescription information or a diagnosis, but some health care providers may include this information on the certification form.

Must I sign a medical release as part of a medical certification?

No. You aren't required to provide your medical records for an FMLA determination. The State of Iowa has a right to ask you to provide certification containing sufficient medical facts to determine a serious health condition exists.

Extenuating circumstances

Late reporting (more than two business days after the start of FMLA-qualifying absence) or paperwork (more than 15 calendar days) can be accepted if there are extenuating circumstances preventing you from timely reporting and if the State approves.

What is the process for second opinions?

Reed Group will not make an independent evaluation and contradict a health provider's medical opinion. However, if the State has reason to doubt the information received, the State may request a second or third opinion. You will be provisionally entitled to FMLA pending subsequent medical opinions.

The State can only request second opinions while your case is in "pending" status. Managers and supervisors must contact the FMLA Program Manager to request a second opinion, which is obtained at the State's expense. Some agencies require the expense be submitted to the employer-sponsored health plan for payment, and then pay for any charges not covered.

Any requests for exceptions, second opinions, or FMLA designations must be submitted by the agency's Human Resources Associate (HRA) to FMLA@iowa.gov.

4) FMLA LEAVE – DURATION, TIME REPORTING, RETURN TO WORK REQUIREMENTS

Leave duration – how may my 12 weeks of FMLA leave be taken?

FMLA leave may be taken in any of the following three ways:

1. **Continuous FMLA leave:** an employee is absent for a continuous period of time of more than three consecutive calendar days, up to 12 weeks in a fiscal year.
2. **Intermittent FMLA leave:** an employee is taking time off in separate blocks of time. Intermittent leave can be in hourly, daily, or weekly increments, and is often used for recurring medical appointments, flare-ups of a condition, or ongoing treatment.
3. **Reduced schedule FMLA leave:** an employee needs to reduce the amount of hours worked per day or per week.



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Is FMLA necessary if an employee has sick leave and vacation time?

FMLA doesn't begin after sick leave or vacation time is exhausted – it begins with the first eligible absence and runs concurrently with paid leave.

- State of Iowa employees are required to use accrued sick leave, vacation time, comp time, banked time, and/or IUP personal time (as applicable) while on FMLA.
- If FMLA leave is taken to care for a family member, the only sick leave that can be used is family care leave.
- Qualified employees may retain up to two weeks (80 hours) of accrued annual leave (vacation) ([Leave Retention form](#)).
- **ONLY ONE LEAVE RETENTION AGREEMENT WILL BE USED FOR ALL FMLA INSTANCES WITHIN A FISCAL YEAR.**
- **YOUR ELECTION CAN BE DECREASED, BUT NOT INCREASED DURING YOUR PERIOD OF ELIGIBILITY. YOU CANNOT RETAIN MORE HOURS THAN YOU HAVE IN YOUR VACATION BANK.**
- **YOU MUST SUBMIT THE LEAVE RETENTION FORM TO YOUR EMPLOYER NO LATER THAN SEVEN (7) CALENDAR DAYS FROM THE DATE YOU RECEIVE THE FMLA DESIGNATION NOTICE APPROVING FMLA LEAVE.**
- All appropriate paid leave must be exhausted (except any retained leave) before LWOP is granted. There is not any particular order of use. The use of vacation leave prior to exhausting sick leave is at the discretion of the appointing authority.

What time increments should be used when reporting FMLA leave?

To be consistent when paid leave and FMLA run concurrently, absences should be recorded in the same increments used to report sick leave, vacation, or other time off in their agency's time reporting system.

- Employees who report absences to the minute in their agency's time reporting system should report to the minute to Reed Group.
- Employees who report absences to the quarter hour in their agency's time reporting system should report accordingly to Reed Group in 15-minute increments.

For example, an absence of 13 minutes would be reported to Reed Group as 13 minutes or 15 minutes, depending if the employee's agency reports to the minute or quarter hour.

How should holiday time be reported while on FMLA leave?

- If a holiday occurs during a period of continuous FMLA leave, the holiday will be designated as FMLA leave.
- If a holiday occurs during a period of intermittent FMLA leave, the holiday will not be designated as FMLA leave unless the employee was scheduled and expected to work during the holiday.

Should overtime be reported while on FMLA leave?

If an employee is unable to work voluntary or mandated overtime due to an FMLA-qualifying reason, the overtime hours the employee would have worked will not be counted against the employee's FMLA entitlement.

What if there is a discrepancy between LeavePro and my timesheet?

In the event of an FMLA reporting discrepancy, either Reed Group should be notified or a Human Resources Associate (HRA).



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What do I need to do to Return to Work (RTW) after FMLA leave?

If you are on continuous leave due to a serious health condition, you will be required to provide your employer an RTW certification completed by a health care provider who has knowledge of your particular health condition. Contact your human resources office to request the [RTW certification](#) form, job description, and the list of essential functions necessary to satisfactorily perform your job. Your health care provider will need your job description or essential functions list to complete the RTW certification. Return the completed RTW certification to your supervisor prior to returning to work.

Failure to provide this certification may delay your return to work. The certification must state you are able to resume work and able to perform the essential functions of your job or identify any restrictions.

If you are on intermittent or reduced schedule leave, you may be required to provide a [RTW certification](#) for each subsequent absence unless the certification has been submitted in the last 30 days, and only if your employer has a reasonable safety concern about your ability to perform your job without harm to yourself or to others due to your serious health condition.

5) PRIVACY

Who can see my information?

Reed Group will only have access to the medical information provided to them by the employee's medical provider on the Certification of Health Care Provider. In LeavePro, management and human resources personnel will only be able to view dates of leave, the general reason for the leave (for example, employee health condition, family member health condition, birth of a child), whether or not FMLA applies, and FMLA status (pending, approved, or denied).

How secure is my information in LeavePro?

Reed Group's Privacy Policy states security measures have been implemented to ensure secure data storage and restricted access. Furthermore, Reed Group will not disclose personally identifiable information to a third party or any party outside the company unless authorized by the employee or required by law. OCIO has reviewed Reed Group's security protocols and is confident that employees' medical information will be sufficiently protected.

Why is private medical information necessary if employees do not want to share?

Employees are required to provide a complete and sufficient medical certification when requested by the employer, or its agent (Reed Group), in order to determine if a serious health condition exists and FMLA-protected leave should apply to an absence from work. Only basic information regarding the reason for the absence is necessary. If you choose not to share information sufficient to make an FMLA determination, FMLA can be denied and the absence will not be protected. (<https://reedgroup.com/iam-data-privacypractices-htm/>)

When reporting absences via LeavePro, Reed Group's online self-service portal at stateofiowa.leavepro.com, employees will select from a drop-down menu of "general" reasons for leave, such as Employee Health Condition, Family Health Condition, and Maternity.



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Any requests for exceptions, 2nd opinions, or FMLA designations must be submitted by the agency's Human Resources Associate (HRA) to FMLA@iowa.gov



For FMLA determinations, contact Reed Group:
(844) 507-5393 (8 a.m.-8 p.m., M-F)
FMLA Absence Management: stateofiowa.leavepro.com
Fax: (720) 456-4790

6) FAILURE/REFUSAL TO REPORT/COMPLY

An employee will not receive the benefits of FMLA protection if he/she fails or refuses to report FMLA-qualifying absences. However, Iowa Code 11 – 63.4(1) states it is the appointing authority's responsibility to designate leave as FMLA leave if there is sufficient information to support that FMLA applies to an absence.

Please note agency call-in procedures may require an employee to report FMLA-qualifying absences to Reed Group. The employee may be subject to discipline if he/she fails to follow agency call-in procedures. Agency call-in procedures may require employees to report FMLA-related absences to Reed Group.

What happens if an employee fails to report an FMLA-qualifying absence on an approved FMLA certification?

- A manager/supervisor must ask the employee to contact Reed Group within two (2) business days of the absence.
- A manager/supervisor must contact Reed Group within two (2) weeks of the absence to designate the absence as FMLA.
- If more than two (2) weeks have passed since the absence occurred, a manager/supervisor must email fmla@iowa.gov to designate the absence as FMLA.
- Intermittent Leave(s): Failure to call in may result in discipline.

What happens if an employee refuses to report an absence that may qualify for FMLA certification?

- A manager/supervisor must ask the employee to contact Reed Group to request FMLA paperwork if no current certification for the condition exists.
- A manager/supervisor must contact Reed Group on an employee's behalf to initiate FMLA paperwork if no current certification for the condition exists.
- A manager/supervisor must email fmla@iowa.gov to administratively approve FMLA coverage for an absence if sufficient information exists to support the approval. This option is best-suited for special circumstances such as unexpected hospital stays, childbirth, etc.

How will a manager/supervisor or HRA know whether or not an employee contacted Reed Group?

Managers/supervisors and HRAs receive Reed Group notifications when an employee reports an absence. Failures to report will be identified by discrepancies between LeavePro reports and timesheets during the timesheet approval process. LeavePro is the official record for FMLA absences. All managers/supervisors and HRAs have access to LeavePro. All absences reported are logged within this system in an orderly manner.

7) TRAINING/RESOURCES

What kind of training is available?

An [FMLA/Reed Group overview](#) is available online, as are separate LeavePro training modules for [employees](#) and [managers](#). Additional training has been developed for human resources professionals. For training requests, email FMLA@iowa.gov.

What about other resources?

An [FMLA Decision Tree](#) and a variety of resources for all staff are available on the [State's FMLA webpage](#), including links to the U.S. Department of Labor. Also see:

U.S. Department of Labor FMLA Fact Sheets and Resources: <http://www.dol.gov/whd/fmla/>
U.S. Department of Labor Employee Guide: <http://www.dol.gov/whd/fmla/employeeguide.pdf>



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