

Texas A&M AgriLife Research Procedures

31.03.05.A0.01 | Family and Medical Leave

Revised: September 6, 2022

Next Scheduled Review: September 6, 2027

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PROCEDURE SUMMARY

The Texas A&M University System (A&M System) Regulation *31.03.05, Family and Medical Leave*, provides general guidelines for the administration of the Family and Medical Leave Act (FMLA).

PROCEDURES AND RESPONSIBILITIES

1.0 PROCEDURES, REQUIREMENTS, AND RESPONSIBILITIES

- 1.1 When an employee is absent from work, or anticipates being absent from work, due to his or her own illness or the illness of an immediate family member, the employee's record must be reviewed by the unit/department HR Contact to determine if the employee is eligible for FMLA.
- 1.2 The employee does not need to request that the leave be designated as FMLA for it to qualify; however, the HR Contact must obtain sufficient information to determine if the leave qualifies for FMLA.
- 1.3 When the supervisor becomes aware of an employee being absent or needing to take leave due to a medical condition, they must notify the department's designated HR Contact (or Absence Partner) immediately.

The HR Contact will provide a FMLA packet within five days to the employee regarding his or her eligibility or non-eligibility. A FMLA packet contains the following:

- Texas A&M AgriLife FMLA Notice of Eligibility and Rights & Responsibilities
- Medical Certification Form for Employee or Family Member
- Employee's Position Description
- US Department of Labor Fact Sheet – Employee Rights under FMLA
- System Regulation 31.03.05, Family and Medical Leave

All documentation should be returned to the HR Contact.

- 1.4 If the leave is paid, the employee must comply with normal leave certification requirements as outlined in A&M System Regulation *31.03.02, Sick Leave*, and A&M System Regulation *31.03.01, Vacation*. If the leave is without pay, a completed *Medical Certification Form* is required within 15 days of the employee going into a leave without pay status, unless 15 days is not practical. All certifications must be treated as confidential medical records and kept separate from personnel records, in accordance with Texas A&M AgriLife Research (AgriLife Research) Procedure *33.99.99.A0.02, Official Personnel File*.
- 1.5 If the physician's documentation certifies the employee is absent from work due to an FMLA condition, the absence is documented as FMLA leave, and a previous tentative designation must then be confirmed.
- 1.6 If the physician's documentation does not verify that the illness is a "serious health condition" under FMLA guidelines, the employee must be informed, and the leave documented appropriately.
- 1.7 Leave which qualifies as FMLA leave runs concurrently with sick leave, vacation, other paid or unpaid leave.

- 1.8 An employee on leave is required to report periodically (two-week intervals are recommended) on his or her status and intention to return to work. An employee should be encouraged to keep his or her supervisor informed about his or her intention to return to work.
- 1.9 Leave will be requested via Workday.
- 1.10 File all documents pertaining to the FMLA event in Laserfiche section 3.2.2 in a Confidential Personal Medical folder. Records management for this folder will follow the A&M System Records Retention Schedule for leave documents using the completion of the FMLA as the closing date for the record.

RELATED STATUTES, POLICIES, OR REQUIREMENTS

[A&M System Regulation 31.03.01, Vacation](#)

[A&M System Regulation 31.03.02, Sick Leave](#)

[A&M System Regulation 31.03.05, Family and Medical Leave](#)

[AgriLife Research Procedure 33.99.99.A0.02, Official Personnel File](#)

CONTACT OFFICE

Questions regarding this procedure should be referred to AgriLife Human Resources at 979-845-2423.

REVISION HISTORY

Approved: September 6, 1999
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