



LAMAR INSTITUTE OF TECHNOLOGY

A Member of The Texas State University System

Family Medical Leave Information

Family Medical Leave (FML) is leave that provides certain job and benefit rights and is limited to a total of 12 weeks during a 12-month period measured forward from the date your FML usage starts. To be eligible for FML employees must have completed at least 12 months of state employment and worked at least 1,250 hours over the previous 12 months.

The following is a list of important facts regarding FML:

- When requesting FML, you ordinarily must provide 30 days advance notice when the leave is foreseeable.
- Employees may take FML due to:
 - Incapacity due to pregnancy, prenatal medical care or childbirth,
 - Care for the employee's child after birth, or placement for adoption or foster care,
 - Care for the employee's spouse, son or daughter, or parent, who has a serious health condition, or
 - A serious health condition that makes the employee unable to perform the employee's job.
- Military leave entitlements include leave:
 - For a qualifying exigency arising because your spouse, child, or parent is on active duty or called to active duty status in support of a contingency operation as a member of the National Guard or Reserves, or
 - In order to care for a Covered Servicemember with a serious health condition (up to 26 weeks of leave during a single 12-month period).
- You must provide a completed health care provider certification within 15 calendar days. We reserve the right to delay the commencement of your leave until this documentation is received. A medical certification form is included in this packet.
- If your leave is due to the birth, adoption, or placement in foster care of a child, you must attach a birth or adoption certificate or other suitable documentation (medical certification is acceptable). We reserve the right to delay the commencement of your leave until this documentation is received.
- FML runs concurrently with all other types of eligible paid leave (workers' compensation leave, sick leave, sick leave pool, vacation, comp time, and leave without pay).

- You must pay for any optional insurance coverage. If you normally pay insurance premiums and/or healthcare reimbursement or dependent care reimbursement premiums by payroll deduction, these payments must continue during your FML. Employees Retirement System of Texas will bill you for these premiums which are due the first calendar day of the month of coverage and payable within 30 days. If you do not pay your total monthly premium (partial payments are not accepted) when due, your coverage will be cancelled effective the end of the month for which your last premium was paid in full. You may contact ERS at 877-275-4377 if you have questions about your premiums.
- If you do not return to work after your leave, you must repay the employer-paid insurance premiums unless you are not returning due to a serious health condition or circumstances beyond your control.
- You will be required to present a return-to-work form if your FML was due to your medical condition. Your return to work may be delayed until this form is received.
- While on leave, you may be asked for recertification. If you are on Workers' Compensation, you will be required to provide updated certifications of your status.

Frequently Asked Questions

1. *Is it considered FML every time I don't feel well enough to work and have to utilize sick time?*
No, the common cold or flu, upset stomach, headaches other than a migraine, or earaches are not considered serious health conditions for the purposes of FMLA leave.
2. *What happens to my benefits while I am out on FMLA?*
Your benefits will continue to be deducted from your monthly check. If you go on a Leave Without Pay status, you will be responsible for paying your premiums directly to ERS.
3. *Is FMLA paid?*
FMLA is unpaid leave. Employees must use any accrued sick (including donations) and vacation leave before going on Leave Without Pay. All accrued time runs concurrently with FMLA.
4. *Do I have to provide a release from my medical provider prior to returning to work from FMLA?*
Yes, if the FMLA was due to your own serious health condition.
5. *Do I have to take all 12 weeks at the same time?*
Leave may be taken intermittently or on a reduced schedule when medically necessary in the case of serious health conditions.
6. *Do I have to go on FMLA leave if I have enough paid leave to cover my time off?*
Yes. It is required by federal law, when the situation qualifies for such.