

How to: Understand Medical Leaves

Medical Leave Types: Family Medical Leave, New Parent Leave, Disability

Family Medical Leave (FML)

Allows eligible employees to take job-protected, unpaid leave, or to substitute paid leave if earned or accrued, up to 12 weeks over a 12-month period. Eligible employees have:

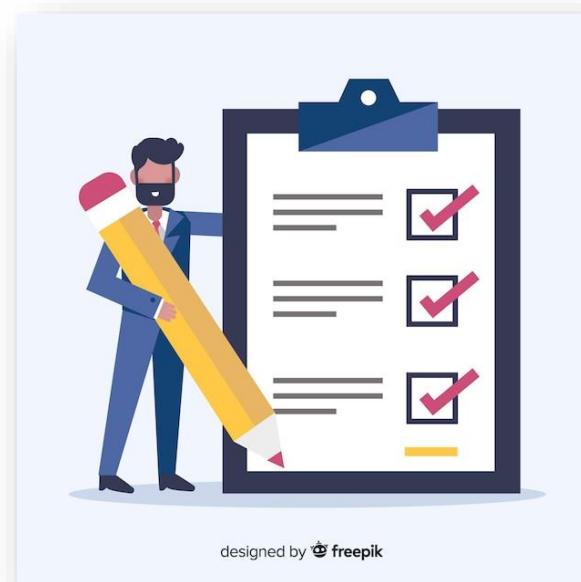
- Worked for the State for 12 months
- Worked 1250 hours in the 12 months immediately preceding the need for leave,
- Not exhausted entitlement to FML in the current fiscal year (July 1 – June 30)

New Parent Leave (NPL)

Paid leave available to eligible employees upon the birth or placement of a child for adoption. Employees with six (6) consecutive (without a break in service) months or more employment in state service are eligible.

Disability Elimination Period

The Disability program requires that an employee be unable to perform their job duties for a certain time frame prior to becoming eligible for benefits. This time frame is referred to as the elimination period. The elimination period for the Disability Program is thirty (30) consecutive calendar days of disability. Assuming FML eligibility requirements are met, FML runs concurrently with the elimination period



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Short-Term Disability (STD)

Paid leave effective after the thirty first (31st) day off work, STD lasts up to six (6) months from the date the employee becomes disabled for a maximum of five (5) months of payments. The basic STD benefit is sixty percent (60%) of the base biweekly gross wage, before taxes and insurance. Remember there is a thirty (30) day elimination period in which you can use accrued leave to ensure you stay in a paid status. Assuming FML eligibility requirements are met, FML runs concurrently with any disability designation.

Long-Term Disability (LTD)

If an employee is continuously disabled six (6) months after the disability began, they may be eligible for Long-Term Disability. No reapplication is needed, but updated medical information may be requested, as well as additional eligibility requirements. For the first two years of LTD, the basic benefit is fifty percent (50%) of the base biweekly gross salary and forty percent (40%) during the third and fourth year. This is the gross benefit amount, before taxes and insurance. Assuming FML eligibility requirements are met, FML runs concurrently with any disability designation.

You can find additional information on these leaves in the Nerve Center [here](#) under "Medical Leaves". There are also FML Training Resources including a FML Training Video presented to IDOH by INSPD Employee Relations.

What You Need to Know: Continuous FML vs Intermittent FML

Continuous Leave: Continuous leave is taken for a continuous block of time, due to a period of incapacity because of a chronic condition, injury or illness. This leave may be approved for the remainder of the current fiscal year and/or a specific period of time. The employee will be out and will not return to work until they have been released by a health care physician. Employees on continuous FML do not have to call in for each shift that is missed. An employee that is anticipated to be off for more than 30 consecutive days, must apply for Short Term Disability in addition to FML.

Intermittent Leave: Intermittent leave allows employees to work, while allowing a day here and there for leave time when there is a flare up, treatment or appointments for an employee's chronic condition, injury, or illness. The frequency and duration of periods of incapacity will usually be stated in the FML approval notice. Statements are estimates by the health care provider. No one can guarantee that a condition will flare up only on a specific number of times nor exactly how long the incapacity will last. The frequency and duration are guidelines. If you feel this guideline is being abused, please contact your [Human Resources Team](#).

FML: Do's & Don'ts

When an employee utilizes their FML, supervisors need to be cautious when asking questions. If an employee requests to take leave, pertaining to their FML, here are some questions that you can and cannot ask.

Questions you CAN ask:



- ❖ Is this absence related to an FML approval?
- ❖ If the absence is for the employee's own serious health condition: What essential functions can you not perform?
- ❖ If absence is not for an employee's own serious health condition: Who are you caring for today and what care will you be providing?
- ❖ Are you requesting use of any accrued leave?
- ❖ Can you please write a statement indicating you are attending a medical appointment that is pertaining to your FML, with the date and time of the appointment?
- ❖ What is the time and duration of your appointment?
- ❖ If the employee requests to flex their time: How do you plan to make up for this lost time?

Questions you CANNOT ask:

- ❖ For what condition or specific reason are you taking leave?
- ❖ Can you provide a doctor's statement for this FML absence?
- ❖ What is wrong with you or your family member?
- ❖ What is your appointment for?
- ❖ What did the doctor say at your appointment?

