



Family and Medical Leave Act – Eligibility Notice for New Fiscal Year

Administrator instructions This form is used to notify an employee of his/her eligibility for Family and Medical Leave Act (FMLA) leave for the new fiscal year. **This form should be used only once during the months of September and October for first initial FMLA-related absence of the new fiscal year; otherwise, the standard FMLA packet should be issued.** An employee who uses FMLA leave for the same condition that continues beyond September 1 should be provided this notice within **five business days** upon his or her first FMLA-related absence of the new fiscal year. To determine eligibility for the new fiscal year, the administrator should determine whether or not the employee worked the requisite 1,250 hours in the 12 months prior to the need for leave.

Employee Name	Date
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Texas A&M University administers the Family and Medical Leave Act (FMLA) on a fiscal year basis. Therefore, you will need to requalify for FMLA benefits if your need for intermittent family and medical leave continues after September 1.

Your first absence with an FMLA-related condition in the new fiscal year was on (date): _____
(Administrators: this form may NOT be used for first FMLA-related absences beyond **October 31**; the [standard FMLA packet](#) should be issued instead).

You must work at least 1,250 hours in the 12 months prior to the date above to requalify for FMLA leave in the new fiscal year. Please see the checked items below for eligibility notification and instructions:

1. **ELIGIBLE** for up to 12 weeks of FMLA leave in the new fiscal year, as you have worked the requisite hours during the previous 12 months of your need for leave. Please note your documentation requirements:
 - A. Your latest medical information on file is six months or older or is expired. Please provide a [Certification of Health Care or Practitioner form](#) (attached) within 15 calendar days of your receipt of this notice.*
 - B. According to information you have provided, you have a reevaluation on (date): _____
Please provide a [Certification of Health Care Provider form](#) (attached) within 15 calendar days of your appointment.*
 - C. Your medical information on file is current. No additional information is needed at this time.
 - D. Other documentation requirements, if any

2. **NOT ELIGIBLE** for FMLA leave at this time because you have not worked the requisite hours during the previous 12 months of your need for leave. Your medical documentation requirements will be according to sick leave regulations. Note, you may qualify for FMLA leave if you work the requisite amount of hours in the future.
 - Documentation requirements per sick leave regulations, if any:

*Please note that failure to provide the requested certification form by the date required may result in the delay or denial of your FMLA benefits.

HR Professional SIGNATURE	Date	Phone
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EMPLOYEE SIGNATURE	Date	CERTIFIED MAIL # if employee is not available
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(If you have employee’s permission you may email FMLA documents and if that is the case indicate emailed rather than certified mail #)

SUBMIT FORM TO: Department’s HR Generalist for filing in Employee’s Medical File	NEED HELP? HROE Leave Administration at (979) 862-4027 leave@tamu.edu
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Your Rights and Responsibilities under The Family and Medical Leave Act

You have a right under The Family and Medical Leave Act (FMLA), if qualified, to take up to 12 weeks of leave per fiscal year (9/1 through 8/31). You are entitled to be reinstated to the same or an equivalent position when returning from FMLA leave, provided you have accounted for your leave as required. You may, under certain circumstances, be required to reimburse Texas A&M University for its share of health insurance premiums paid on your benefit during your FMLA leave in the event you do not return to work following FMLA leave.

1. Please note that your *eligibility* for FMLA benefits does not necessarily ensure that your leave will be designated as FMLA leave. You must return the necessary documentation so that we may designate your leave accordingly.
2. You will be required to present a fitness-for-duty certificate in the event you are missing work due to your own health condition and the medical information on file is unclear as to whether or not you can safely return and perform the essential duties of your position. Lack of clear documentation may result in the delay of your return to work until sufficient information is received.
3. You will be required to remain in contact with your work area as required by the policies of your department and Texas A&M University. We will expect you to return to work as indicated by the applicable physician's statement(s). If the circumstances of your leave change and you are able to return to work earlier than the date indicated on your latest practitioner's statement, you must furnish your department with the current medical documentation to allow your return. Additionally, you will be required to notify us at least two work days prior to the date you intend to report for work so that we may make the appropriate business arrangements. Your failure to provide us with the requested advanced notice may result in a delay of your return to work.
4. Your paid and/or unpaid leaves will run concurrently with any FMLA leave. Paid vacation and sick leave must be used first before you are placed into a leave without pay status. **FMLA requires 2 entries in Workday.** Use of sick leave for more than 3 days requires supporting medical documentation.
5. You will be responsible for making applicable monthly payments to your portion of health insurance during FMLA leave if you are on unpaid Leave of Absence (LOA) for 30+ days. Please contact Benefit Services at 862-1718 if you have questions about your premium payments. Your group health coverage for dependents and optional coverage may be canceled where allowed by TAMU policies if payments are not made in a timely manner while on unpaid time off.
6. You may be required to furnish updated medical information every 30 days relative to your need for FMLA leave.
7. Family and Medical Leave Act regulations may apply to your leave if unique circumstances are otherwise not covered in this document or any other applicable attachments.
8. **Important:** Please note the following regarding your FMLA balance:
 - Your FMLA balance is available through your department's leave program or database (Workday, KRONOS, etc.); contact your department's HR Generalist for any assistance needed with FMLA balance in Workday. Leave balances for FMLA will reset each year on September 1.
 - Notify your HR Generalist without delay if you believe your FMLA records are incorrect.