

## FMLA/STIR Leave Management Toolkit

**Introduction.** This toolkit is designed to assist supervisors and staff in the steps to manage time off under the Family Medical Leave and Short Term Income Replacement programs.

### Requesting Leave of Absence

The University requires staff to report a medical leave of absence for own serious illness or the illness of a qualifying family member for longer than 3 consecutive days.

- If the leave is foreseeable, 30 days prior written notice to the University is required.
- When 30 days is not foreseeable, employees must notify their supervisor and CareWorks as soon as possible
- Comply with the department's normal call-in procedures.
- Failure to provide proper notice may result in delay or denial of the leave, and may result in an attendance or other policy violation.

For planned medical treatment, schedule so as not to unduly disrupt the department's operations. Staff should consult with their department prior to arranging appointments so that a schedule can be agreed upon that best suits both staff needs and the needs of the department.

A claim may be initiated through CareWorks by calling their toll-free number (888) 436-9530.

- *Request for Family and Medical Leave* under [FMLA policy](#)
- *Reporting of Claims* under [STIR policy](#)

### Communication during Leave of Absence

During the STIR/FMLA leave, supervisors and staff will receive communication from CareWorks regarding the staff member's leave. Supervisors must review all communication received from CareWorks and take appropriate action timely.

Staff must remain in contact with their supervisor regarding their status as frequently as the supervisor deems appropriate and necessary under the circumstances. For staff on approved STIR/FMLA leaves that extend more than 30 days, such contact must be made at a minimum of every 30 days to supervisor and CareWorks. For absences due to Intermittent FMLA, employee must notify supervisor and CareWorks for every absence.

### Reporting University Paid or Unpaid Time

The University requires staff to use the appropriate available paid time according to the FMLA/STIR pay policies. Use of incidental time, STIR pay and vacation days are required first for a staff member's own serious health condition, to the extent available, before the leave becomes unpaid. Paid time is based on set base job work hours.

Paid or unpaid time should be reported to Payroll weekly through the appropriate reporting tool and appropriate leave code(s). To review the appropriate reporting channel please review the STIR/FMLA Checklist for Supervisors and Staff. To view available paid time for your staff member see Absence Report tool or MyTimeOff.

- STIR/FMLA [Checklist](#) for Supervisors and Staff
- Absence Report Tool
- MyTimeOff
  - MyTimeOff quick reference guide for [Managers](#)
  - MyTimeOff quick reference guide for [Exempt Staff](#)

## Continuation of Benefits

While in paid status, medical premiums and other deductions will continue to be deducted from pay.

## Leave of Absence Becomes Unpaid

Should a leave of absence be **unpaid for 2 weeks or longer**, a Leave of Absence form should be submitted. Once Leave of Absence form used, do not submit Absence and Overtime form to Payroll. If unpaid leave time is less than 2 weeks before return to work – submit time to Payroll via the Absence and Overtime Form or Ultra-time.

Once a leave becomes unpaid, applicable premium costs are to be paid through automatic withdrawal by the staff member. Staff should contact the Office of Human Resources to make arrangements for payment of premiums.

Upon your return to work from an unpaid leave, a Staff Personnel Action form is required to change a staff's paid status in the university systems. Forward this form in a timely manner to the Office of Human Resources.

Should an overpayment occur, the staff member is responsible for repaying the overpayment. The supervisor/staff work directly with Payroll Services to retrieve overpayment.

- Leave of Absence [Form](#)
- Staff Personnel Action [Form](#)

## Returning to Work

Before a staff member can return to work from an approved leave for the employee's own serious health condition, the employee must present a certification from their health care provider that they are able to return to work, and will be able to perform the essential functions of their job without posing a significant risk of harm to themselves or others.

The Office of Human Resources Return-To-Work/Work Release form must be completed by the staff member's health care provider and returned to the supervisor and to CareWorks at least 3 days prior to the returning to work. The supervisor will review and forward to the employee's supervisor and Human Resources. For return to work with restrictions, the department must review to see if they are able to accommodate the restrictions. If they are unable to accommodate restrictions, the staff member would continue to work with CareWorks to remain out under STIR. If the restriction is longer than 6 months, a request for accommodations may be made directly to the Office of Institutional Equity at 574-631-0444 or [oiie@nd.edu](mailto:oiie@nd.edu).

- [UND Return-to-Work/Work Release form](#)

## Managing a non-STIR or non-FMLA leave of absence

There are situations when a staff member's leave may not be eligible for STIR/FMLA. To assist you in managing/taking a leave of absence due to the serious health condition of the staff member or a qualifying family member, review the Supervisor/Staff non-FMLA/STIR Leave Checklist.

- Supervisor/Staff non-FMLA/STIR Leave Checklist

## Additional Resources

[Incidental Days](#)

[Vacation - Exempt](#)

[Vacation - Non-Exempt](#)

[Parental Leave](#)