FMLA: WHAT YOU NEED TO KNOW
BYU Human Resource Services

What is a “Serious Health Condition”?
• Pregnancy or prenatal care
• Chronic, long term or permanent medical conditions
• Any condition that causes at least 3 consecutive days of absence combined with 2 or more treatments by a health care provider, where the first health care visit occurs within 7 days of the onset of the incapacity
• Any condition that causes a period of incapacity of any length combined with inpatient care

What Are an Employer’s Responsibilities?
• Ensure that employees receive the required FMLA rights notices within 5 business days, whether or not the employee is eligible for FMLA
• Grant intermittent leave where requested
• Restore an employee returning from leave to the same or a substantially equivalent position held before the leave
• Don’t retaliate against employee for taking leave
• Departments, notify HR quickly when you learn of an employee’s serious medical condition. We need your help with this!

What Employees Are Eligible?
• Employees who have worked at least 12 months and at least 1250 hours during the previous 12 months

What’s Provided to Employees?
• Up to 12 weeks of unpaid leave in a 12-month period for the serious health condition of the employee or a family member, for the birth or adoption of a child, or because a child, parent or spouse of the employee has been called to active duty in the military
• Up to 26 weeks of unpaid leave during a 12-month period to care for a spouse, child or parent who is an injured member of the military

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