
Prosecuting Attorneys' Council FMLA Certification Process

1. The employee is absent or planning to be from work due to a medical condition and informs their Supervisor and/or Office Manager. The employee will complete the online FMLA Request Form.
2. The HR Office receives the FMLA Request Form and assesses whether or not the illness appears to be a “serious health condition” as defined by Family Medical Leave Act (FMLA). A “serious health condition” under FMLA is defined as:
 - Any period of incapacity requiring absence from work for more than three calendar days from continuing treatment by a health care provider;
 - Any period of incapacity or treatment in connection with or following inpatient care at a hospital, hospice, or residential medical care facility;
 - Continuing treatment by a health care provider for prenatal care or long-term care for a condition so serious that, if not treated, would result in a period of incapacity for more than three calendar days;
OR
 - Because a serious health condition makes the employee unable to perform one or more of the essential functions of their job.
3. If the absence does not appear to be for a “serious health condition” the employee’s time off is documented as sick leave, annual leave, and/or leave without pay.
4. The HR Office will investigate whether or not the employee qualifies for FMLA.
 - a. Have worked at least 12 months (which do not have to be consecutive) for the employer; and
Have worked at least 1,250 hours during the 12 months immediately before the date FMLA leave begins.
 - b. The employee’s health condition could be defined as being covered by FMLA.

The HR Office will also investigate the eligibility of the employee even though there may be some uncertainty as to whether or not the illness qualifies for FMLA benefits.
5. The HR Office submits the FMLA packet of information to the employee and informs him/her in writing that s/he does not qualify for FMLA benefits at the present time. This information is provided in the Notice of Eligibility and/or FMLA letter.
6. The HR Office submits the FMLA packet of information to the employee and tentatively designates the absence as FMLA leave if the individual appears to meet the eligibility criteria mentioned in item 2.
7. The employee should return the Certification of Physician or Practitioner Form along with the completed FMLA packet within 15 calendar days of receipt of the FMLA packet.
8. The HR Office, upon receipt of the certification, examines the physician’s statements and determines whether or not the condition is an illness covered by FMLA. The definition of a “serious health condition” is defined in item 2.
9. The employee’s absence is documented as FMLA leave in PeopleSoft if the physician’s form supports an FMLA condition. This leave will run concurrently with any other accrued leave available.
10. If the employee does not qualify for FMLA, the employee will be informed in writing that his/her illness is not a condition covered under FMLA guidelines.
11. If the employee does not qualify for FMLA and/or the employee’s time off is documented as sick leave, annual leave, and/or leave without pay. The leave will need to be reported to HR by the leave reporting deadline of the current month.

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FMLA CERTIFICATION PROCESS FLOWCHART

