**Note: Duke University Policy does not allow intermittent leave for Adoption and Paternity leave. Allow Staff Member 15 days from date of Notice of Eligibility and Rights and Responsibilities to submit certification. All service less than 7 years should be considered in order to determine eligibility.**
**FMLA PROCESS**

**STEP THREE**
Type of Paid Time Staff Member Will Use

- Staff member must inform supervisor how this time will be used

**STEP FOUR**
Completing FMLA Request Form

- Staff member should notify supervisor of:
  1. Intended return date (staff member may need to provide physician certification to return to work listing any restrictions),
  2. Need for more time or
  3. Resignation

**STEP FOUR- CONT.**
Completing FMLA Request Form

- Obtain these forms from Internet (http://www.hr.duke.edu/forms/index.html) or from departmental representative:
  - Request for Leave form
  - Payroll Leave form
  - Certification of Heath Care Provider for serious health condition(s) or military leave(s)
  - Notice of Eligibility and Rights and Responsibilities
  - Designation Notice

**STEP FIVE**
Returning From FMLA

- Staff member must inform supervisor how this time will be used

- Staff member determines whether or not to use paid time and in what increments (e.g. Staff member could decide to be paid 4 hours of paid time per day)

- Department keeps all forms and FMLA related information in a secure confidential location outside of personnel file for 3 years and tracks FMLA time used

- If the employee’s leave dates or schedule changes (e.g., continuous to intermittent FMLA), the department provides the employee with a new Notice of Eligibility and Rights & Responsibility listing the revised designation.

- Re-certification can be requested every six months unless circumstances of the leave schedule change (e.g., movement from intermittent to continuous FMLA leave)

- Staff member must complete the Request for Leave of Absence form and the Manager must complete the Notice of Eligibility and Rights & Responsibility within 5 days of receiving the Request for Leave

- Once completed the certification and request is received by the manager, the department provides the Designation Notice to the employee within 5 business days

- Department sends payroll leave of absence form to Corporate Payroll for processing

- If FMLA has expired, department sends Notice of Eligibility and Rights & Responsibility to employee with personal leave of absence forms and policy

- The department completes a Payroll Leave of Absence form if the staff member is returning to work or is requesting personal leave of absence. If the staff member is not returning to work, they must give a voluntary resignation notice or they may be deemed not recommended for rehire.