**Military Family Leave Process**

**Step One**
- **Determine Eligibility**
  - Have 12 months of service with Duke University, which need not be consecutive and worked at least 1,250 hours in the preceding 12-month period
  - Reasons:
    - To care for servicemember who is recovering from a serious illness or injury sustained in the line of duty on active duty
  - If staff member is not eligible or reason does not apply under Military Medical Leave: Discuss other options, which may include:
    - Temporary or alternative work arrangements
    - Change in hours or shift
    - Personal Leave
    - Illness/Injury Leave, etc.

**Step Two**
- **Determine How Leave Will Be Taken**
  - May take up to 26 weeks of leave in a 12-month period
  - Leave Options:
    - Full-time leave for a consecutive 26 week period
    - Intermittently:
      - Full time leaves for a consecutive period less than 26 weeks
      - On reduced schedule
  - The way in which FMLA is taken will depend on:
    - Medical guidance provided by the servicemember’s health care provider and, if necessary, confirmed with Employee Occupational Health Wellness services
    - Ability of department to provide flexible work arrangements

**Step Three**
- **Type of Paid Time Staff Member Will Use**
  - Military Leave is an unpaid leave of absence
  - Staff members who have accrued paid time may use this time to cover their absence
  - 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). Staff member must inform supervisor how this time will be used
  - If Intermittent Leave is disruptive to operations:
    - Management may temporarily transfer staff member to alternate position for which staff member is qualified and receives equal pay and benefits
    - Must have sound reasons for the transfer
    - Consult Staff and Labor Relations prior to making such a transfer

**Step Four**
- **Completing Leave Request Form**
  - Staff member obtains Request of Leave of Absence form from web site: http://www.hr.duke.edu/loa/
  - Staff member completes the Request for Leave of Absence form. The servicemember’s health care provider completes a certification form
  - The staff member submits the completed request form and the servicemember’s certification to the department supervisor/manager.
  - The department representative reviews the certification and determines if it is a Military Family Leave qualifying event and if the staff member is eligible.

**Step Five**
- **Returning From Leave**
  - Staff member should notify supervisor of 1) intended return date, 2) need for more time or 3) resignation
  - The Department completes the Payroll Leave of Absence form indicating the return. If the staff member needs more time beyond twenty six (26) weeks he/she may complete a Personal Leave Form
  - The department notifies the staff member of approval or denial using the appropriate letter. The Payroll Leave of Absence form is completed.
  - The department forwards a copy of the leave request form and the payroll leave form to Staff and Labor Relations.

Obtain Medical Certification: Allow Staff Member 15 days from date of application to submit certification.