

Procedure for Requesting FMLA Leave

- (1) Employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the Personnel Office. When the need for leave is foreseeable, the employee must provide at least 30 days' advance notice. When 30 days notice is not possible, the employee must provide notice as soon as practicable and explain why advance notice was not given. Generally, the employee must also comply with the department's normal call-in procedures. Within five business days of receiving this notice, Personnel will provide the employee with the required Notice of Eligibility and Rights.
- (2) Employees must provide sufficient information for the County to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the County if the requested leave is for a reason for which FMLA leave was previously taken or certified.
- (3) The County will require complete and sufficient certification for the employee's serious health condition, or that of family member, or for military family leave. The employee must respond to such a request for information within 15 days of the request or provide a reasonable explanation for the delay. Recertifications supporting the need for leave and the employee's intent to return to work may be requested periodically as allowed by law. Failure to provide complete and sufficient certification may result in a denial of continuation of leave. Medical and other certifications will be provided using the Department of Labor's certification forms.
- (4) If there is a dispute about the medical opinion provided by any physician, Utah County may require a second opinion by a physician of its choice, at its expense. If a third opinion is necessary, a third doctor may be selected, also at Utah County's expense. The third doctor must be agreed upon by both the employee and Utah County, and the doctor may not be employed on a regular basis by Utah County.

I. Designation of FMLA Leave

After the employee has submitted the appropriate certification forms, the Personnel Office will provide the employee with a written response to the employee's request for FMLA, indicating whether or not they are eligible for FMLA leave. Employees will be informed if the leave will be designated as FMLA-protected and the amount of leave counted against the employee's FMLA entitlement. If eligible, the notice will specify any additional information required as well the employee's rights and responsibilities. If the employee is not eligible, the County will provide a reason for the ineligibility.