



Frequently Asked Questions – FMLA, Medical, and Parental Leave of Absences

What is FMLA?

The Family and Medical Leave Act (FMLA), a law that was passed in 1993, allows you to balance your work and family life by taking job-protected Unpaid Leave for certain family and medical reasons due to a serious health condition. Under FMLA you are entitled to unpaid leave and the maintenance of your health benefits during the Leave of Absence.

Who is eligible for FMLA Leave?

All employees are eligible to take FMLA Leave if they have worked for the University for at least 12 months (in the prior 7 years), have worked for at least 1,250 hours in the 12 months prior to your Leave start date, and work at a location with at least 50 employees within 75 miles of the worksite.

How does FMLA protect me?

When you have been approved for FMLA, the time that you take off due to a serious health condition cannot be counted against you on your performance appraisal. A faculty member may request that their tenure clock be extended. Upon return from FMLA Leave, most employees are entitled to be returned to the same or equivalent position.

Is FMLA confidential?

Medical information for you and your family members is confidential and maintained as such.

How is FMLA counted?

FMLA provides 12 weeks of job protected leave in a 12-month period or “plan year.” Effective 07/01/2023, our FMLA plan year changes from the UCF fiscal year to a “rolling” calendar year. Under this plan, each time an employee takes FMLA Leave, the remaining Leave entitlement would be the balance of the 12 weeks which has not been used during the immediately preceding 12 months. Workday will track your FMLA use and balance automatically. For tracking purposes, your entitlement can be converted to hours using your weekly standard hours.

What are the reasons that may entitle me to FMLA protection?

The reasons for FMLA protection can be for one or more of the following reasons:

- the birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care
- to care for a spouse, son, daughter, or parent who has a serious health condition
- for a serious health condition that makes the employee unable to perform the essential functions of his or her job
- for any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active-duty status, or to care for a covered service member

What is a serious health condition?

A serious health condition means an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents you from performing the functions of your job or prevents your qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

What types of Leaves are available to me?

- *Continuous Leave*: When on a continuous (or full) Leave, you are not working at all. The Leave is unpaid unless you choose to use your available accrued time off. Accrued time off shall be used in accordance with UCF’s practices.
- *Intermittent Leave* (not available for non-FMLA or Parental Leaves): Intermittent Leave may be taken for specific medical reasons confirmed by a health care provider. Time may be taken periodically for one or more hours or for up to 10 days. Examples of Intermittent Leave include Leave taken on an occasional basis for medical appointments or treatments or Leave taken several days at a time, such as for chemotherapy. When not working, you will not be paid unless you request accrued time off in Workday. *For planned medical visits, you should make a reasonable effort to schedule the visit so as not to unduly disrupt your department’s operations.*
- *Reduced Work Schedule Leave (RWS)*: When on RWS Leave, you may work less than your normal work schedule. The proposed work schedule must be agreed upon by your department. When not working, you will not be paid unless you request accrued time off in Workday. An example of an RWS Leave is someone recovering from a serious health condition and not medically able to work their normal work schedule.

How much time can I take for a Medical Leave?

The duration is based on the documentation provided on the Certification of Health Care Provider (CHCP) Form the physician must complete. The FMLA entitlement is 12 weeks per plan year.



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How much time can I take for Parental Leave?

UCF allows employees up to six months of Parental Leave to be taken during the first 12 months after your child arrives.

How does FMLA work with a Medical or Parental Leave of Absence?

The first 12 weeks of your approved Medical or Parental Leave will count towards your FMLA entitlement.

Does FMLA guarantee paid Time Off?

No. The FMLA only requires unpaid leave. However, the law does allow you to use accrued paid Time Off (such as accrued annual Time Off, accrued sick Time Off, or compensatory Time Off) for any FMLA absence. Accrued Time Off shall be used in accordance with UCF's practices. If you expect to be unable to work for an extended period, you should consider filing a claim if you have disability insurance or file for Social Security Disability.

How does FMLA impact tenure for Faculty members with a Leave of Absence?

Time spent on paid or unpaid leave for over 160 hours extends an employee's tenure clock. Faculty members, *particularly Assistant or Associate Professors*, interested in adjusting their tenure clock or who have questions about it, should contact Faculty Excellence at FacultyExcellence@ucf.edu or (407) 823-1113.

Can Leave taken due to pregnancy complications count against my FMLA for the birth and care of my child?

Yes. If you use Medical Leave for another reason, including a difficult pregnancy, it may be counted as part of your 12-week FMLA entitlement. A pregnant employee may apply for Medical Leave for use intermittently for prenatal examinations or for complications, such as for periods of morning sickness. Medical Leave does not reduce your Parental Leave allowance.

Does Workers' Compensation Leave count against my FMLA Leave entitlement?

Yes. FMLA Leave and time off work due to workers' compensation can be concurrent provided the reason for the absence is due to a qualifying serious illness or injury.

How are my insurance deductions affected when I am on Medical or Parental Leave?

- Insurance deductions will only be affected when you are not paid sufficient hours to cover your biweekly benefits premiums. If you choose to use accrued Time Off, you are required to use a minimum of ten (10) accrued Time Off hours weekly (if available) per UCF Regulation 3.040.
- If you do not receive any pay, your insurance deductions cannot be payroll-deducted. Please contact HR Benefits at benefits@ucf.edu or 407-823-2771 to arrange your premium payments. If you do not pay your premiums, your benefits will be suspended. To reinstate your benefits, you must pay all outstanding premiums. It may take up to ten (10) days to process late payments and reinstate your benefits during which time you will not have active coverage.

When must I submit my request for Medical or Parental Leave?

We recommend that you submit your request in Workday at least 30 days in advance for foreseeable leave or as soon as practicable for unforeseeable leave. You will be allowed 15 calendar days to provide a completed Certification of Health Care Provider (CHCP) Form. The CHCP is needed to confirm your qualifying reason and to document the use of sick time off. For Military Exigency please provide reason/documentation for support.

Faculty: For specific information related to Faculty employees including FAQs, modified instructional duties, and Paid Parental Leave, refer to the Faculty Excellence website at: [Faculty Excellence-Paid Parental Leave](#).

Graduate Assistants: For specific information related to Graduate Assistants and Paid Parental Leave, reference the UCF Graduate Student Catalog at: [Parental Leave for Graduate Assistants](#).

What am I required to submit when returning to work from a Leave of Absence?

In all cases, you must confirm your intent to Return to Work in Workday. If your absence was due to your own pregnancy (less than the 6-8 week standard of care), your own injury, or your own illness, you must provide a [Medical Release Form](#) completed and signed by your health care provider prior to returning to work. The form may be uploaded directly to Workday (*Request Return from Leave of Absence*), faxed to (407) 882-9023 or scanned to loaandworkcomp@ucf.edu.

What if I need a job accommodation to return to work?

For temporary accommodations on a limited basis, UCF Leave Administration may be able to assist with an informal conversation with your supervisor. In situations where additional medical documentation is required or the department (or requesting employee) requires further information before responding to an accommodation request, complete a Reasonable Accommodation Request Form for the Office of Nondiscrimination and Accommodations Compliance (ONAC). Submit required forms to onac@ucf.edu. Documentation of your disabling condition and the need for accommodation is generally required unless the condition and the need for the requested accommodation is obvious. *For specific information on job accommodations at UCF, check their website at onac.ucf.edu or contact the ONAC office at 407-823-1336 or onac@ucf.edu.*

Who do I contact if I have other questions regarding FMLA:

Please contact HR-Leave Administration directly at loaandworkcomp@ucf.edu or (407) 823-2771.