Determining employee eligibility for Family Medical Leave Act

Benefits Design and Management
Office of Human Resources

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Determining Employee Eligibility for FMLA

To be eligible for FMLA, the employee must:
1) Have been employed for at least 12 months and
2) Have worked at least 1250 hours during the 12 months immediately prior to the requested leave date and
3) Have not already exhausted his/her FMLA entitlement.

Eligibility Requirement #1
Verify that the person has been an Arizona University System - Arizona State University, Northern Arizona University, The University of Arizona, or Arizona Board of Regents - employee for at least 12 months.

* Months do not need to be consecutive
  - e.g. 3 months in 2010 plus 2 years 2005-2006
* Employment prior to a break in service of seven years or more should not be counted unless the employee was on active duty with the National Guard or Reserve or there was a written agreement of intent to rehire the employee after the break in service.

In the Human Resources Information System:
1) Go to Workforce Administration
2) Select the Job Data screen
3) Enter the employee’s 10-digit ID number - or
   the employee’s first and last names
4) Select Include History
5) Click Search
6) You are now on the Work Location screen

7) Select Employment Data

8) You are now on the Employment Information screen

9) Note the **Original Start Date**

10) Note the **Last Start Date**
Determining Employee Eligibility for FMLA

11) If the Original Start Date and the Last Start Date are the same and are at least 12 months prior to the requested leave date, the employee has met the first part of the eligibility requirement.

12) The leaves representative should contact the department’s designated Benefits Administrator* if the Original Start Date and the Last Start Date:
   * Are the same but within 12 months of the requested leave date, or
   * Are different.

If the person is a transfer employee within the Arizona University System, please contact your department’s Leaves Management Partner for assistance in determining eligibility for this first requirement.

GET ASSISTANCE

Leaves Management Partners
cfo.asu.edu/hr-benefitspartners
Call internal extension 2-1748 or email HR_Disability@asu.edu.

Eligibility Requirement #2
Verify that the employee has worked at least 1250 hours during the 12 months immediately prior to the requested leave date.

➢ Unpaid hours off do not count
➢ Paid time off under a leave benefits plan - e.g., sick, or vacation- do not count
➢ Hours taken for National Guard or Reserve duty do count
➢ Hours worked as a student worker do count
➢ Furlough hours do count
➢ If an employee works multiple jobs, worked hours are added together and all do count

The Scheduled Leave Planning Report on the dashboard is used:
   1) Go to dashboard
   2) Select Human Resources on the left sidebar menu
   3) Log in
   4) Select Scheduled Leave Planning, on the left side bar menu
5) In the Search By box, select Employee ID - or - Employee Name
6) Enter the employee 10-digit ID number - or - employee name in the box to the right
7) In the Leave Type box, select ALL
8) In the Approval Type box, select ALL
9) In the Plans To Work box, select ALL
10) In the From box, enter the date one year prior to the requested leave date
11) In the To box, enter today’s date
12) Click Go
13) If you entered the employee’s name - rather than ID, a menu will appear listing all employees with the identical name; click on your employee’s name

14) The report will show either:
   1) All hours - worked and non-worked - for a non-exempt employee, or
   2) All exception hours for an exempt employee

15) Export the report to Excel by clicking on the icon
Determining Employee Eligibility for FMLA

In the Excel spreadsheet:
➢ For a hourly - non-exempt - employee:
   1) Delete all exception hour rows - e.g. Vacation, Sick, Holiday
   2) Total the number of remaining Regular and Furlough hours

➢ For a salaried – exempt - employee:
   1) Total the number of exception hours
   2) Determine the employee’s annual scheduled work hours
      a) Go to Workforce Administration
      b) Select the Job Data screen
      c) Enter the employee's 10-digit ID number - or - the employee's first and last names
      d) Select Include History
      e) Click Search
      f) Click the Job Information tab along the top
      g) You are now on the Job Information screen
      h) Note the Standard Hours
      i) Multiply the Standard Hours by 52 - weeks
   3) Subtract the exception hours from the employee’s annual Standard Hours

If the total number of worked hours is at least 1250, the employee has met the second part of the eligibility requirement.

If the person is a transfer employee from the Arizona University System, please contact your department's Leaves Management Partner for assistance in determining eligibility for this second requirement.
Determining Employee Eligibility for FMLA

Eligibility Requirement #3
Determine the amount of FMLA leave the employee has already taken, if any, since the last anniversary month. The anniversary month is the month designated in the Last Start Date - See Eligibility Requirement #1.

To search for prior FMLA usage, in HRIS:
1) Go to Workforce Administration
2) Select the Job Data screen
3) Enter the employee’s 10-digit ID number - or - the employee’s first and last names
4) Select Include History
5) Click Search
6) You are now on the Work Location screen
7) Click on the arrow to the left of the word Last
8) Continue to click the arrow while searching for a Return from Leave in the Action field

Remember – you need only go back as far as the last anniversary date
9) If there is a Return from Leave action, note the effective date
10) Continue to click the arrow to search for the Un/Paid Leave of Absence in the Action field
11) Note the effective date
12) Count the number of days between the effective dates and divide by 7 to calculate the number of weeks and days the employee has already used
13) Determine if the employee has had any Intermittent Leave usage during this period by referring to the employee’s department leave file. Count the actual number of work hours missed and divide by 8 to calculate the number of days already used.

Subtract the amount of FMLA time already taken since the last anniversary date from the 12-week entitlement to determine how many weeks the employee has remaining to use.

If the person is a transfer employee from the Arizona University System, please contact your department’s Leaves Management Partner for assistance in determining eligibility for this second requirement.