The Family Medical Leave Act (FMLA) Process

This flowchart provides general information to walk you through your initial request for FMLA leave. It is a step-by-step guide that will help you navigate the sometimes complicated FMLA process.

There are several instances throughout the FMLA leave process where you will need to comply with BOTH the FMLA regulations AND the University of Delaware’s leave policy.

START HERE

**STEP 1**
You must notify your department when you know you need leave.

**STEP 2**
Your HR Manager or HR Partner notifies you whether you are eligible for FMLA.

**STEP 3**
You must provide a completed certification to your department within 15 calendar days.

**STEP 4**
Your department notifies you whether your leave has been designated as FMLA.

**STEP 5**
Your leave is FMLA protected. (There are employee responsibilities while out on FMLA leave.)

**STEP 6**
When you return to work, you are returned to your same or nearly identical job.

**STOP**
Your leave is not FMLA-protected (You may request leave again in the future.)

Do you participate in the state pension?

- **YES**
  - If you will be out for more than 30 days you must apply for Short Term Disability.

- **NO**
  - Days 1-30
    - FMLA
    - Short Term Disability
    - Workman's Comp.
  - Days 31-60
    - FMLA
    - Short Term Disability
  - Days 61-182
    - FMLA
    - Short Term Disability
    - Workman's Comp.
  - Days 183-on
    - FMLA
    - Long Term Disability (employment would end at this point.)

**KEY**
- Employee’s responsibility
- Department’s responsibility