

UNDERSTANDING AND EFFECTIVELY DEALING WITH THE FAMILY AND MEDICAL LEAVE ACT OF 1993

by

Scott Warrick, JD, MLHR, SPHR

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- Why Is The FMLA The Most **PRO-EMPLOYEE** Employment Law?
- What Are Employers And Managers **REQUIRED** To Do Under The FMLA ... And What Are Employees Required To Do?
- What Various Types Of **LEAVES** Are Allowed Under The FMLA?
- How Does The FMLA Define A “**SERIOUS HEALTH CONDITION**” Under The FMLA?
- How Does **HIPAA** Affect The FMLA For Employers And Physicians?
- What Forms Are Required To Comply With The FMLA?
- What **MEDICAL INFORMATION** Should Employers Be Requesting On Their **MEDICAL CERTIFICATION FORMS**?
- What Do You Do If The Forms Are Not Filled Out...Or Not Filled Out Completely?
- How Are An Employee’s **BENEFITS** Affected By The FMLA?
- How Can Your **LIGHT DUTY PROGRAM** Help You Manage The FMLA?

Join Scott as he reviews the FMLA Law and what you need to do to comply in his own unique, practical, entertaining and humorous style. Scott will not only inform you of the FMLA, but he will review how to use this information
IMMEDIATELY!

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I. WHO IS COVERED?

- A. Employer Coverage**
- B. Employee Coverage**
- C. Earned Vacation Time Counts Toward FMLA Eligibility**

II. WHAT QUALIFIES AS FMLA LEAVE?

- A. Leave Requirements**
- B. When Is Employee Needed To Care For A Covered Family Member?**

III. LEAVE REQUIREMENTS

- A. Establishing The 12-Month Period Of Time Used For Calculating FMLA Leave**
- B. FMLA Regulations: No Greater Rights Afforded**
- C. Paid FMLA Leave v. Unpaid FMLA Leave**

D. Intermittent Leave And Reduced Schedule Leave

IV. SERIOUS HEALTH CONDITIONS

A. Definition Of “Serious Health Condition”

B. Collection of Illnesses Counts

C. What Is *Not* A Serious Health Condition?

D. Employee Who Conceals Serious Health Condition

V. RETURNING TO WORK

A. When Is An Employee Deemed To Have Returned To Work After FMLA Leave?

B. Essential Job Functions: Number Of Hours Required

C. Restoration Of Job Rights

VI. EMPLOYER RIGHTS

A. Requiring Employee To Report On His Status To Employer Periodically

B. Medical Certificates

C. Thirty-Day Notice To Be Given By Employees

VII. FMLA EMPLOYER REQUIREMENTS

A. FMLA Notice To Be Sent To Employee By Employer

B. Employer Notification Requirement: Notification Not Necessarily Required IF Policies In Place

VIII. EMPLOYERS DO NOT IMPOSE FMLA REQUIREMENTS ON THEMSELVES

IX. OTHER EMPLOYEE RIGHTS

- A. Discipline For Absenteeism and FMLA Leave**
- B. Light Duty Assignments**
- C. Health Insurance Coverage**

X. LIABILITIES AND DAMAGES

- A. Managers Can Be Held Personally Liable**
- B. Retaliation**
- C. Enforcement and Remedies**

XI. COMPLYING WITH THE FMLA

- A. FMLA Employer Checklist**



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- **Masters degree in Labor and Human Resources: The Ohio State University**
- **Capital University College of Law (Class Valedictorian (1st out of 233))**
- **Lifetime Senior Professional in Human Resources (SPHR) accreditation**
- **Winner of the Human Resource Association of Central Ohio's Linda Kerns Award for Outstanding Creativity in the Field of Human Resource Management and the Ohio State Human Resource Council's David Prize for Creativity in the Field of Human Resource Management**
- **Scott is President of his own Human Resource Consulting, Employment Law and Training Firm based in Columbus, Ohio specializing in:**
 1. **PREVENTING Employee Problems from happening,**
 2. **Training Managers and Employees ON-SITE in over 30 topics and**
 3. **Keeping HR Professional's UP TO DATE WITH THE CHANGES IN THE LAW with his MONTHLY NEWSLETTERS AND ANNUAL AUDIO TAPES.**

Scott Warrick was the highest rated presenter at SHRM's 2003 National Diversity Conference in New York City. Scott has now been invited back to present his "Tolerance in the Workplace: Management v. Employees" session at the 2006 SHRM National Diversity Conference in Los Angeles in October of 2006.

Scott travels the country presenting his "Intolerance of Intolerance: Diversity/Tolerance Awareness Program." Scott's clients include The Gap, Skyline Chili, The Ohio Supreme Court, Heinz, Fayette County Hospital, Honeywell, Caraustar International, Utah Workforce Development, etc.

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Mike McGovern, Odyssey Consulting, Inc.

“Scott is the best presenter we have ever had!”

Tim Thompson, Columbus Public Metropolitan Library

“Loved the ‘real world’ examples. Scott has really ‘been there, done that.’”

Kay Peters, Evans Adhesives, Inc.

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