

Compensation/Benefits & Employee Health Services

Frequently Asked Questions

1) When must an employee submit a medical clearance to return to work?

- a) Employees are required to submit a medical clearance to Employee Health Services prior to returning to work from their physician according to their respective collective bargaining agreement. Generally, an employee who has called off sick four (4) or more consecutive days is required to submit a medical clearance. This may be on the doctor's script paper or letterhead.

2) What types of leave are available to employees?

- a) Currently there are two (2) leaves of which employees may qualify for: 1. FMLA, 2. Military.

3) Where are leave requests and medical documentation submitted?

- a) ALL leave requests and medical documentation with medically related information MUST be submitted to the Office of Employee Health Services.

4) What is FMLA and what is covered?

- a) FMLA stands for Family and Medical Leave Act. This Act provides protection to an employee's job for up to 12 weeks of leave in a calendar year for a serious health condition of their: own, spouse, child or parent.
- b) The FMLA defines serious health conditions for which FMLA leave may be taken into these six categories:
 - inpatient care
 - incapacity for more than three days with continuing treatment by a health care provider
 - incapacity relating to pregnancy or prenatal care
 - chronic serious health conditions
 - permanent or long-term incapacity, and
 - certain conditions requiring multiple treatments.

5) How does an employee apply for an FMLA leave?

- a) The employee can download the forms from the District website or intranet at <http://detroitk12.org/benefits>.

6) What is my responsibility as an employee's supervisor?

- a) You are responsible for notifying Employee Health Services by the end of the next day when an employee is absent from work for what may be a qualifying event under FMLA. If an employee is granted an FMLA leave, then it is your responsibility to ensure that the employee's hours are properly tracked and accounted for.

7) I have an employee who is off on an approved leave and is now able to come back with restrictions; do I have to take them back?

- a) Yes, the employee has the right to return to their position with restrictions as long as they are able to complete the essential functions of their position with or without a reasonable accommodation.

8) I have an employee that is approved for an intermittent leave. How do I know when they will be absent?

- a) Employees who are approved for an intermittent leave must notify you when they call in if it is related to their approved FMLA. Informing you when they return will not be counted as FMLA time. Also, if the employee is aware of their absence in advance then they are to notify you as soon as possible of their anticipated absence.

9) What does an employee need to do to return to work following a leave?

- a) The employee is to submit a doctor's statement to Employee Health Services that they are ready and able to return to work five (5) days prior to the end of their leave. EHS will notify you if the employee has been cleared to return to work along with their return date. Employees should not be permitted to return to

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work without clearance from EHS. An employee's pay will be delayed if this step is not completed as you will not be able to submit their time worked to payroll.

- 10) What do I do when an employee is scheduled to return to work?
 - a) You are to confirm that the employee reported to work as scheduled or not by noon of the day they are scheduled to return by emailing dps.ehs@detroitk12.org, please include the employee's name, employee ID number and work location.
- 11) What if the employee's leave is about to expire and they are not cleared by their doctor to return to work?
 - a) The employee is responsible for submitting the documentation to Employee Health Services and requesting an extension.
- 12) How long may an employee be out on leave?
 - a) The FMLA protects the employee's position for 12 weeks; however, an employee with a catastrophic illness may qualify for an Extended Leave and be off work up to a total of one (1) year before they are terminated from the District.
- 13) How does FMLA affect an employee's benefits?
 - a) Benefits of employees on paid FMLA (sick, vacation, personal time) continue without interruption. However, employees on non-paid FMLA are to make monthly premium payments directly to the Office of Benefits via Direct Bill until they return to work or their leave expires. Employees are eligible to continue benefits through COBRA if they are unable to return.
- 14) How do military leaves affect an employee's benefits?
 - a) Benefits of employees on military leave terminate at the end of the month when the employee is placed on leave. Employees and their dependents are eligible to continue benefits through COBRA until they return to work.
- 15) What is EAP?**
 - a) EAP stands for Employee Assistance Program. This is a confidential program to provide short term support to employees and their family members who may be having issues at home or work. In cases where additional support sessions are required, the EAP provider will assist the employee with identifying additional support covered by their insurance.
- 16) How does an employee contact EAP?
 - a) Employees can call (800) 847-7240 to speak with an EAP representative and potentially schedule an appointment 24/7/365.
- 17) Is there Supervisor training available for EAP?
 - a) Yes, training sessions are to assist Supervisors and/or other employees in identifying potential situations where there may be a need.
- 18) Can EAP be used in place of disciplinary action?
 - a) NO, the EAP program is to be a non-punitive resource to assist employees with issues that may impact their job performance. However, the EAP program does not prevent disciplinary action based upon an employee violating District Work Rules.
- 19) Do I have to permit an employee to go to EAP during the regular work day?
 - a) NO, employees should utilize EAP support outside their regular work schedule unless waiting could have adverse impact on the department's operations.

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20) What is ADA?

- a) ADA is the American with Disabilities Act. This Federal Act requires employers to provide reasonable accommodations to employees so that they may be able to perform their essential job duties.

21) What are some examples of reasonable accommodations?

- a) Providing written materials in accessible formats, such as large print, Braille, or audiotape.
- b) Modifying processes and procedures.
- c) Adjusting or modifying work schedules.
- d) Providing readers or sign language interpreters.
- e) Extending or granting a leave for an ADA covered condition
- f) Holding recruitment, interviews, tests, and other parts of the application process in accessible locations.
- g) Holding staff meetings in accessible locations.
- h) Providing or modifying equipment and devices.
- i) Changing the work environment in ways that improve accessibility.

22) Human Resources sent me an employee that requires a reasonable accommodation, do I have to accept the employee?

- a) Yes, you must welcome the employee to the building as you would any other employee.

23) What if I have an employee that I suspect is under the influence of alcohol, drugs or otherwise unfit for duty?

- a) You will need to contact EHS's Directed Medical Referral Hotline at (313) 355-2895 and request a DMR form. You will be required to complete the form including any examples and clearly indicating any witnesses to the situation. Once reviewed by EHS, you will be advised how to proceed. You may be instructed to transport the employee to and from testing at a facility selected by EHS.