



AGENDA
ADVANCED FAMILY AND MEDICAL LEAVE ACT
REGIONAL WORKSHOP 2017-18

First Day:

1:00 – 1:15 Workshop Introduction and Overview of FMLA

1:15 – 2:45 Threshold Issues

Including an in-depth look at the definition of “parent,” “adult child,” and “serious health condition;” employee and employer notice requirements; certifications, clarifications and second opinions; the problem of multiple health conditions

2:45 – 3:00 Break

3:00 – 3:15 Privacy Matters

The FMLA’s confidentiality requirements; the intersection of the FMLA and GINA; what may be disclosed to supervisors when.

3:15 – 4:00 Measuring Leave

An in-depth look at problems in measuring and scheduling both continuous and intermittent and reduced leave; and leave in a school or college setting

4:00 – 5:00 Issues in Pay and Benefits during Leave

The use of accrued paid leave; how to handle an employee’s failure to pay health insurance or other benefit premiums; recapture of premiums when employee decides not to return or is fired

Second Day:

9:00 – 10:00 Return from FMLA Leave

Fit for duty testing; return after drug and alcohol rehab; light duty; 100% healed-from-injury policies; the FMLA and the ADA; the FMLA and workers comp; the meaning of the same or an equivalent position

10:00 – 10:30 What Constitutes FMLA Interference

Improper recertification; contacting employees during FMLA leave; employer absence and absence reporting policies; intermittent leave and absence reporting; retaliation claims

10:30 – 10:45 Break

10:45 – 11:30 Preventing FMLA Fraud and Abuse

11:30 – 12:15 Military FMLA

12:15 – 1:00 Enforcement and Remedies and Managing FMLA Leave

Preparing for audit; recordkeeping; using TPAs; training department heads and supervisors

1:00 Adjourn