

FEDERAL FMLA LEAVE INFORMATION *

What is covered as a serious health condition?

Threshold Requirement: Unable to perform at least one essential function of job.
CFR 825.115 (see also ADA).

Covered Conditions:

In-patient care & recovery

Pregnancy, prenatal care

Terminal illness

Continuing Treatment (includes diagnosis)

a) Incapacity (inability to work) of more than 3 consecutive calendar days that also involves:

- Two or more treatments by health care provider or
- One treatment and continuing supervision (includes prescription medications and equipment)

b) Chronic Serious Health Conditions

- Periodic treatment by health care provider and
- Continues over extended period of time and
- May be episodic rather than continuing, such as:
Asthma, diabetes, epilepsy.

c) Permanent or long term period of incapacity

- Requires treatment or supervision by health care provider.
- Includes Alzheimers, Stroke

d) Multiple treatments for

- Restorative surgery for accident or other injury
- Condition which would likely result in incapacity of more than 3 days in absence of treatment, such as:
Cancer - chemotherapy or radiation
Arthritis - physical therapy
Kidney dialysis

Explicitly not covered under FMLA rules, absent complications:

Colds	Minor Ulcers
Flu	Headache (except migraine)
Earaches	Routine eye, dental treatment
Upset Stomach	

Is leave time paid?

Accrued sick and/or vacation leave may be used for FMLA/OFLA leave.

If leave is unforeseeable, employees must give notice as soon as practicable (usually one or two workdays from beginning of leave).

FMLA Cite: 29 CFR 825

* Lonnie's employees are covered by both FMLA and OFLA. For "serious health condition" leave, follow the FMLA rules.