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MANAGEMENT AND FINANCE

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HUMAN RESOURCES MEMORANDUM NO. 01-064

August 28, 2001

TO: Lt. Governor, Secretary, Undersecretary, Assistant Secretaries, Deputy Assistant Secretaries, Program Managers

FROM: Mary F. Ginn
Human Resources Director

SUBJECT: FMLA ProceduresBReminder

The Family and Medical Leave Act (FMLA) provides job-protected leave for up to twelve (12) weeks in any twelve (12) month period. An employee's use of leave for the following reasons must be designated as FMLA leave: To care for his/her newborn child; because of the placement of a child with the employee for adoption or foster care; to care for an immediate relative suffering from a **Aserious health condition**, because of a **Aserious health condition** of the employee that renders the employee unable to perform the functions of his or her position.

A **Aserious health condition** is an illness, injury, impairment, or physical or mental condition that involves either inpatient care in a hospital, hospice, or residential medical care facility **or** continuing treatment by a health care provider.

FMLA requests are subject to approval and monitoring by direct supervisors. The Department has the duty to determine whether a leave request is **AFMLA-qualifying**, to designate it as such, and to provide notice of the designation to the employee.

Please refer to Human Resources Memo 99-052 for the procedures for tracking FMLA leave. Supervisors must track the FMLA leave of their employees to assure the 12-week entitlement in a given 12-month period is not exceeded. **FMLA tracking begins with the first date of use.**

If you have any questions, please contact the Human Resources Office at (225) 342-0880.

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