

**Up-to-date training on
FMLA regulations!**

F **M** **L** **A**

COMPLIANCE UPDATE

Recent changes to the FMLA have left organizations scrambling to make sure they're in compliance with the law. Learn about the latest changes to the FMLA and where the future stands.



Enroll online at
skillpath.com/FMLA
or call 1-800-873-7545.

We're coming to your area ...

Are you **100%** confident in your interpretation of the **FMLA**?

FMLA disputes are among the top five issues that land companies in the courtroom. It's been a big part of HR departments for 10 years now, and it has only grown in importance. The number of requests for FMLA leave has risen dramatically. The number of employees affected by it has increased. Are you prepared?

Are your employees taking advantage of intermittent leave?

The concept of intermittent FMLA leave is great for your employees. But it's also confusing. How can you be certain an employee is using intermittent leave fairly and not taking advantage of your company? Can you be sure, if you deny an employee intermittent leave, that your company won't be sued or dragged into court?

Our expert HR trainer will shed light on the murky history of intermittent leave. You'll get perfect clarity on the different types of leave your employees can take and what qualifies for each one. After you leave this program, you'll never have to wonder again if you've made the correct decision.

Do you really know the FMLA as well as you should?

Have you ever felt unsure of the steps you needed to take when an employee requested leave? Felt frustrated by an employee who you thought might be taking advantage of intermittent leave time? Wondered if you owed an employee on leave a bonus? The FMLA is an extensive and often confusing law. Is it any wonder you find yourself second-guessing your decisions?

In just six short hours, we'll catch you up on months of FMLA research; clarify the "gray areas" of FMLA eligibility for each and every one of your employees; and determine exactly which medical conditions can be granted leave under the confusing triangle of the FMLA, the ADA and workers' comp.

Deny leave? Approve leave? Get rid of the confusion.

More than any other regulation, act or rule, the FMLA affects your employees on a personal level. When your employees come to you for approval of FMLA time, they are likely facing a life-changing event—be it an illness, a death in the family, a new child, an injury or the care of a parent, among others.

Sometimes "no" is the only answer you can give—legally. But you want to be 100 percent sure that you're denying leave based on facts, not hunches. Or, conversely, approving leave based on facts, not on an emotional employee's pleas. The only way to protect your company from potential legal backlash is to let the law guide you. That's what **FMLA Compliance Update** will do for you ... get you up to date on the facts in just one day.

This program is packed with dozens of how-to's, whys and what-for's to guide your FMLA decisions. You owe it to your company, your employees and your own peace of mind to enroll today!

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SkillPath is recognized by SHRM to offer Professional Development Credits (PDCs) for the SHRM-CPSM or SHRM-SCPSM. This program is valid for 5.5 PDCs for the SHRM-CP or SHRM-SCP. For more information about certification or recertification, please visit www.shrmcertification.org.



The use of this seal confirms that this activity has met HR Certification Institute's® (HRCI®) criteria for recertification credit pre-approval.

Do you know the answers to these tough **FMLA** questions?

- If you have an employee on certified intermittent Family Medical Leave, can you request a doctor's note for each intermittent absence?
- If a person misses two or more days a week, can the employer ask (in recertification) if the pattern of absence is common for the condition that was previously certified?
- Does the FMLA apply to temporary staffing companies?
- Can a company require that an employee use all PTO time while on FMLA leave?
- Does state law trump federal law if a state allows leave for domestic partners?
- What are "eligible weeks" based on?
- Can you discuss the FMLA in a union environment? Are there special considerations?
- Is it OK if your FMLA policy does not allow employees to accrue PTO during Family Medical Leave?
- Do you have to allow employees on intermittent leave to take time off in less than half-day increments?
- Does the 381 form need to be filled out each time a child is sent home from day care because the health care provider required it? No matter the length of the intermittent leave?
- Are migraines considered under the ADA?
- If medical certifications have insufficient information, do you have to go back to the employee or can you go to the employee's doctor?
- Does an employer have to grant intermittent FMLA leave to every employee who asks for it?

If you weren't absolutely confident that you had the correct answers to the questions above, you can't afford to miss this workshop. In just one day, you'll get the answers to all of your important FMLA questions from a qualified instructor. Don't wait! Register today!



This one-day FMLA program has been specifically designed for busy human resources and benefits professionals, business managers, office managers, administrators, directors, payroll professionals, attorneys, supervisors, managers and anyone who deals with human resources as a part of his or her job.

Your Comprehensive **FMLA** Update Agenda

Debunking Common Misconceptions About FMLA Leave

- The top 10 mistakes made when dealing with the FMLA and how to avoid them
- How the FMLA relates to state laws and federal discrimination laws
- How you can accurately determine who is an eligible employee
- Special rules for specific employee groups—is your company exempt?
- How to untangle the knot caused by having two spouses working for your company

Know Your Company's Rights Under the FMLA

- Why it's harder than ever to determine what a "serious health condition" is and what the courts are saying about it
- "Rolling year," "leave year," "12-month period"? Aren't they the same under the FMLA?
- Court decisions about the expanded rights for unmarried domestic partners
- Medical certifications your employees must provide to protect YOUR rights as an employer
- Actions you must take when an employee fails to satisfy certification requirements that won't irreparably damage the work relationship

The Complex—and Often Confusing—Relationship Among the FMLA, the ADA and Workers' Comp

- Identifying where each law overlaps the others and which one takes precedence
- How the EEOC definition of "reasonable accommodation" could conflict with the ADA-FMLA-workers' comp triangle
- How to bring an employee back to work and comply with the ADA (reasonable accommodation), the FMLA (physician's release notice) and workers' comp (light or modified duty) without violating his or her rights under any of the three

Crossing Your FMLA "T's" and Dotting Your "T's" Safely and Legally

- How to correctly figure paid and unpaid leave
- How the FLSA's "pay docking" policy affects your employees
- Keeping track of the accrual of employee benefits during leave time
- Health benefits and FMLA leave (COBRA, ERISA, etc.)
- Times you can be held personally liable for FMLA violations

Maintaining Total FMLA Compliance at All Times

- What you need to do when forced to terminate an employee on leave
- How to reinstate employees on leave and the exemption for highly compensated employees
- What exactly constitutes an "equivalent position" under the FMLA?
- What you can legally do when your employee fails to return from leave
- A layman's guide to the legal repercussions and penalties for noncompliance with FMLA regulations

Special Section: The FMLA & Intermittent Leave

- FMLA leave types: Continuous, reduced-schedule, intermittent leave
- Documenting intermittent leave under the FMLA
- Tracking intermittent leave
- Rolling 12 weeks—not annual 12 weeks: Time-off parameters under the FMLA

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Test Your Knowledge!

Real-world FMLA Problems

Below are questions our customers have asked during our other leave law workshops. How would you handle them? Would you be 100 percent confident that you know how to solve each problem legally? Would you be willing to risk your reputation—or even your job—with your decision about what to do?

Issue #1

To FMLA or not to FMLA

You have an employee out of work due to an on-the-job injury. Can you require the employee to use his or her FMLA leave for the time off needed due to the injury? Or is it your employee's choice as to whether FMLA time should be used?

Issue #2

More than one qualifying event?

Your employee has just gone on FMLA leave due to the birth of a child. While on leave, your employee is designated as the primary caregiver of an ill parent. Is your employee now entitled to 12 weeks for each qualifying event?

Issue #3

FMLA eligibility?

You have a company with employees scattered across nine rural locations. Nowhere in your company is there a place where 50 employees are within 75 miles of each other. Are your employees still eligible for FMLA leave?

Issue #4

Work while on leave?

An employee is on FMLA leave in another state caring for a sick parent. He has notified you that he is planning on getting another job while out of state to cover his expenses. Can this employee take another job and still be covered under the FMLA with your company?

Issue #5

"Newborn" care?

Your employee has requested FMLA leave for care of a newborn. However, the newborn is approaching its first birthday. The employee was not previously eligible for FMLA leave due to Pregnancy Disability Leave, so she still has 12 weeks available. Do you have to grant FMLA leave this late—when the baby is nearly a year old?

Issue #6

Poor attendance or FMLA?

An employee is already taking time on intermittent leave for migraines. In addition, his son has been having personal issues that designate a separate FMLA issue. Your employee is constantly taking time off for counseling visits, police issues, school problems, etc. The problem is, your employee is out of his PTO. Can you penalize him for poor attendance if it's covered under the FMLA?

If you weren't absolutely sure of the answers to each of these scenarios, you need this training. Attend and you'll learn how to handle thousands of FMLA scenarios like these, quickly and confidently.



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To Enroll ...



Register online at
skillpath.com/FMLA



Call toll-free **1-800-873-7545**

Registration Information

Check-in begins at 8:15 a.m. The workshop schedule is 9 a.m. to 4 p.m. Lunch is on your own.

Cancellations and substitutions. There are no cancellation fees. Substitutions may be made at any time.

CEUs: Continuing education credit may be recognized by your professional board. Contact your own board to find out what's required. You may also call us at 1-800-258-7246 for additional assistance.

Tax deduction: The expense of continuing education, when taken to maintain and improve professional skills, is tax deductible. Please contact your accountant for complete details.

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We're excited to announce that NST has joined with SkillPath to unite under one solid brand. Leveraging decades of experience, we help you build a better workforce by providing first-class personal and professional development to companies and businesspeople everywhere through strategic and innovative training solutions.

Workshop Schedule

WHAT Makes This Training Different?

According to the EEOC and U.S. Department of Labor, FMLA cases are among the top five legal headaches that plague every company. And when you consider that the top three problems are the “Holy Trinity” of the American legal system (discrimination, harassment and retaliation), you can see why learning how to comply with the FMLA is well worth your time and money.

The FMLA is such an all-encompassing law that it would be impossible to cover every contingency in just one day. That’s why we created this program to give you the “3 Whats” for your mental well-being:

1. **WHAT** does the FMLA require?
2. **WHAT** do your managers and employees have to do to stay in compliance?
3. **WHAT** happens if they don’t do it?

Don’t wait until a mistake—even an unintentional one—makes you learn the hard way about the FMLA. Join us for one day of training that could literally save you and your company millions of dollars in judgments. Enroll today!



Bring This Course to Your Organization

Customized On-site Training

If you have multiple employees who could benefit from this training, consider bringing it on-site. Our Enterprise Solutions team can tailor any program to your organization and its unique objectives. You’ll appreciate our client-centered, strategic approach built on the foundation of five learning pillars that drive organizational success. **For more information:** Call **1-866-222-6315** or request your **FREE needs assessment** at **es.skillpath.com**.



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FMLA #01201 A

Printed in the USA

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new FMLA regulations—
what you NEED to know!**

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