

Designation Notice (Family and Medical Leave)

It is the responsibility of the agency to designate leave as FMLA leave, whether under the federal FMLA, state FMLA, or both, and to inform the employee of the amount of leave that will be counted against the employee's FMLA leave entitlements. In order to determine whether leave is covered under the FMLA, the agency may request that the leave be supported by a certification. If the certification is incomplete or insufficient, the agency must state in writing what additional information is necessary to make the certification complete and sufficient.

To: _____

Date: _____

We have reviewed your request for leave under the FMLA and any supporting documentation that you have provided. We received your most recent information on _____ and decided:

Your FMLA leave request is approved. All leave taken for this reason will be designated as FMLA leave.

The FMLA requires that you notify us as soon as practicable if dates of scheduled leave change or are extended, or were initially unknown. Based on the information you have provided to date, we are providing the following information about the amount of time that will be counted against your leave entitlement:

_____ Provided there is no deviation from your anticipated leave schedule, the following number of hours, days, or weeks will be counted against your leave entitlement: _____ **federal FMLA**; _____ **WI FMLA**.

_____ Because the leave you will need will be unscheduled, it is not possible to provide the hours, days, or weeks that will be counted against your FMLA entitlement at this time. You have the right to request this information once in a 30-day period (if leave was taken in the 30-day period).

Please be advised (check if applicable):

_____ You have requested to use paid leave during your FMLA leave. Any paid leave taken for this reason will count against your FMLA leave entitlement.

_____ You will be required to present a fitness-for-duty certificate to be restored to employment. If such certification is not timely received, your return to work may be delayed until certification is provided. A list of the essential functions of your position **is** **is not** attached. If attached, the fitness-for-duty certification must address your ability to perform these functions.

Additional information is needed to determine if your FMLA leave request can be approved:

_____ The certification you have provided is not complete and sufficient to determine whether the FMLA applies to your leave request. You must provide the following information by _____ (seven calendar days from now), unless it is not practicable under the particular circumstances despite your diligent good faith efforts, or your leave may be denied. The information still needed to make the certification complete and sufficient is:

_____ We are exercising our right to have you obtain a second or third opinion medical certification at our expense, and we will provide further details at a later time.

Your FMLA Leave request is Not Approved.

_____ Neither the federal nor the Wisconsin FMLA applies to your leave request.

_____ You have exhausted your federal and/or Wisconsin FMLA leave entitlement(s) in the applicable 12-month period.

Note to agencies. It is mandatory for employers to inform employees in writing whether leave requested under the federal FMLA has been determined to be covered under the federal FMLA. It is mandatory for agencies to retain a copy of this disclosure in their records for three years.