



**IMPORTANT NOTICE
REGARDING SHORT TERM DISABILITY &
FAMILY MEDICAL LEAVE**

Racine County policy requires that employees who are applying for either Short Term Disability or Family Medical Leave must provide advance notice to their supervisor of the leave when it is foreseeable. If the required notice is not provided to FMLA Source, the request will be denied until the supervisor has been notified and determines if the request can be granted.

Per the **Short Term Disability** policy on page 13 item 11, the following notice is required;

11) A thirty (30) calendar day notice is required for all elective or non-urgent procedures/surgeries. Notice of less than thirty (30) calendar days will result in nonpayment of short-term disability until the notice period is reached.

Per the **Family Medical Leave** policy on page 23 item 2, the following notice is required;

2. Notice of Need for Family and Medical Leave

The employee must notify his/her supervisor (or designee) as soon as the employee knows he/she needs the leave; thirty (30) days notice is required for a foreseeable leave period. The leave is provisionally granted upon a qualifying request. Reasons for leave include the serious health condition of the employee or the employee's child, spouse, or parent, or for birth, adoption or foster care placement, service member's serious health condition, or qualifying exigency for military members.

Family Medical Leave Act describes this under Section 825.302 as;

(a) *Timing of notice.* An employee must provide the employer at least 30 days advance notice before FMLA leave is to begin if the need for the leave is foreseeable based on an expected birth, placement for adoption or foster care, planned medical treatment for a serious health condition of the employee or of a family member, or the planned medical treatment for a serious injury or illness of a covered service member. If 30 days notice is not practicable, such as because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable.

(b) *As soon as practicable* means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, it should be practicable for the employee to provide notice of the need for leave either the same day or the next business day.

If you have any questions, please contact Erin Rooney Phillips at (262) 636-3965.