2015 ERC FMLA Practices Survey

July 2015

ERC
Where Great Workplaces Start.

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About Us & Partners

ERC is Northeast Ohio's largest organization dedicated to HR and workplace programs, practices, training and consulting. ERC membership provides employers access to an incredible amount of information, expertise, and cost savings that supports the attraction, retention, and development of great employees. We also host the nationally recognized NorthCoast 99 program and sponsor the ERC Health insurance program. For more information about ERC, please visit www.yourERC.com.

Thank you to CareWorks USA, an ERC partner, for assisting in the design and distribution of this survey.*

CareWorks USA is one of the nation's fastest growing providers of FMLA Administration and Absence Management Services. Our outcome based programs are customized to ensure your FMLA and Absence Management programs are administered according to your organization's values, philosophies and policies. We offer a streamlined, cost effective approach to ensure consistent claims handling and regulatory compliance both on a state and federal level. Through our technologically advanced software and our administrative and medical expertise, our Family Medical Leave administration services provide a comprehensive package of services for employers. For more information about CareWorks, please visit www.careworksabsence.com.

*Please note: no participant information was shared with any partners, sponsors or other third parties.

Introduction & Methodology

This report summarizes the results of ERC's survey of organizations in Northeast Ohio, conducted in May-June of 2015, on FMLA practices. The survey was conducted in partnership with CareWorks USA, ERC's Preferred Partner for FMLA Administration Services. The survey reports trends in:

- FMLA administration
- FMLA certification and notice
- FMLA usage
- FMLA challenges

All ERC members were invited to participate in the survey starting on May 5th, 2015 via email invitation and other promotions, and participated in the survey throughout the next month. The survey officially closed on June 12th, 2015. In order to provide the most reliable and accurate information, data was cleaned and duplicate records were removed. Any outliers or invalid data were also eliminated, yielding a final data set of 105 participating organizations, only from Northeast Ohio. Qualitative data was coded where applicable or analyzed according to commonality or major themes, and all quantitative data was analyzed using statistical software to ensure data validity and reliability.

This report shows several frequencies and response distributions. Breakouts of data are provided for industry and number of employees. Codes for industry data are as follows: M = Manufacturing, NM = Non-Manufacturing, and NP = Non-Profit. Frequencies of data responses may not total 100% exactly in some cases due to rounding of decimals or the ability for participating organizations to select multiple response options. In some cases, breakouts are not included due to quantity of data or insufficient sample.

FMLA Administration

Summary of Key Findings

A large majority of participating organizations, specifically 84%, administer FMLA in-house, while 10% decentralize and 7% outsource the administration to a third party. Most commonly, employers keep track of FMLA by utilizing timesheets and attendance cards (52% of all organizations). Of those employers who use other methods, most (33%) report tracking FMLA manually. To calculate FMLA, 60% of organizations use a rolling 12-month period measured backwards while 33% use a rolling 12-month period measured forward. Of all surveyed employers, 43% provide their supervisors and managers with FMLA training.

One hundred percent of organizations run their FMLA concurrently with Workers Compensation. Considering other benefits, 77% of employers run FMLA with Short Term Disability and 25% with Long Term Disability and unpaid sick days. Over half (58%) of organizations require their employees to take PTO/vacation as part of their FMLA leave. Thirty-five percent of employers normally pay employees out on FMLA leave for a company holiday. While employees are out on an unpaid FMLA leave of absence, 85% of employers require these employees to keep up with insurance premium contributions. If employees do not qualify for FMLA, 81% of organizations report having a leave of absence policy that these workers can use.

Figures & Tables

Figure 1 | Percentage of organizations that administer Family and Medical Leave (FMLA) in the following ways

	In-house; centralized*	In-house; decentralized**	Outsourced to third party
All Organizations	84%	10%	7%
Industry			
Manufacturing	74%	15%	11%
Non-Manufacturing	94%	3%	3%
Non-Profit	95%	5%	0%
Organizational Size			
1-100	89%	11%	0%
101-500	89%	2%	9%
Over 500	42%	42%	17%

= Handled at one location
*** = Handled at more than one location*

Figure 2 | Percentage of organizations that track FMLA using one of the following methods
Payroll

	Percent
All Organizations	37%
Industry	
Manufacturing	33%
Non-Manufacturing	32%
Non-Profit	58%
Organizational Size	
1-100	36%
101-500	37%
Over 500	42%

Timesheets/attendance cards

	Percent
All Organizations	52%
Industry	
Manufacturing	56%
Non-Manufacturing	48%
Non-Profit	47%
Organizational Size	
1-100	47%
101-500	54%
Over 500	58%

Excel

	Percent
All Organizations	43%
Industry	
Manufacturing	42%
Non-Manufacturing	42%
Non-Profit	53%
Organizational Size	
1-100	47%
101-500	42%
Over 500	42%

Outsource to a third party

	Percent
All Organizations	6%
Industry	
Manufacturing	9%
Non-Manufacturing	3%
Non-Profit	0%
Organizational Size	
1-100	0%
101-500	7%
Over 500	17%

Other methods

	Percent
All Organizations	11%
Industry	
Manufacturing	7%
Non-Manufacturing	13%
Non-Profit	21%
Organizational Size	
1-100	11%
101-500	12%
Over 500	8%

Figure 2a | Percentage of organizations that track FMLA using the following systems*
(Only includes organizations tracking FMLA using other methods)

	Percent
Manual	33%
HRIS Software	25%
Kronos	25%
Other HR Software	25%

Industry and size breakouts not reported due to quantity of data and no significant differences

Figure 3 | Percentage of organizations that use the following methods to calculate FMLA

	Calendar method	Fixed year method	Rolling 12 month period measured forward	Rolling 12 month period measured backwards
All Organizations	7%	1%	33%	60%
Industry				
Manufacturing	7%	0%	30%	63%
Non-Manufacturing	6%	3%	39%	52%
Non-Profit	5%	0%	32%	63%
Organizational Size				
1-100	11%	0%	34%	54%
101-500	5%	2%	33%	60%
Over 500	0%	0%	25%	75%

Figure 4 | Percentage of organizations that provide FMLA training to supervisors and managers

	Percent
All Organizations	43%
Industry	
Manufacturing	46%
Non-Manufacturing	48%
Non-Profit	26%
Organizational Size	
1-100	31%
101-500	49%
Over 500	50%

Figure 5 | Percentage of organizations that run FMLA concurrently with the following benefits
Workers Compensation

	Percent
All Organizations	100%
Industry	
Manufacturing	100%
Non-Manufacturing	100%
Non-Profit	100%
Organizational Size	
1-100	100%
101-500	100%
Over 500	100%

Short Term Disability

	Percent
All Organizations	77%
Industry	
Manufacturing	78%
Non-Manufacturing	84%
Non-Profit	68%
Organizational Size	
1-100	83%
101-500	70%
Over 500	100%

Long Term Disability

	Percent
All Organizations	25%
Industry	
Manufacturing	16%
Non-Manufacturing	32%
Non-Profit	42%
Organizational Size	
1-100	31%
101-500	23%
Over 500	25%

Unpaid sick days

	Percent
All Organizations	25%
Industry	
Manufacturing	24%
Non-Manufacturing	26%
Non-Profit	26%
Organizational Size	
1-100	14%
101-500	33%
Over 500	17%

Other paid/unpaid medical leave (require use of this leave)

	Percent
All Organizations	23%
Industry	
Manufacturing	20%
Non-Manufacturing	23%
Non-Profit	32%
Organizational Size	
1-100	17%
101-500	26%
Over 500	25%

PTO/Vacation time

	Percent
All Organizations	66%
Industry	
Manufacturing	55%
Non-Manufacturing	77%
Non-Profit	84%
Organizational Size	
1-100	69%
101-500	67%
Over 500	58%

Do not coordinate FMLA with any other benefits

	Percent
All Organizations	4%
Industry	
Manufacturing	7%
Non-Manufacturing	0%
Non-Profit	0%
Organizational Size	
1-100	3%
101-500	5%
Over 500	0%

Other type of benefit not listed

	Percent
All Organizations	3%
Industry	
Manufacturing	0%
Non-Manufacturing	6%
Non-Profit	5%
Organizational Size	
1-100	3%
101-500	4%
Over 500	0%

Other Benefits: Unused sick time goes into a 'Sick Bank' that holds up to 200 hours and this can be used in conjunction with Vacation/Current Sick time to cover unpaid time; Life Insurance; Paid FMLA sick days

Figure 6 | Percentage of organizations that require or allow use of the following types of time off while on FMLA

Paid leave (if available)

	Allow use	Require use	Not applicable
All Organizations	30%	41%	28%
Industry			
Manufacturing	35%	38%	27%
Non-Manufacturing	20%	40%	40%
Non-Profit	35%	53%	12%
Organizational Size			
1-100	32%	35%	32%
101-500	30%	46%	23%
Over 500	25%	33%	42%

PTO/Vacation time

	Allow use	Require use	Not applicable
All Organizations	39%	58%	3%
Industry			
Manufacturing	44%	52%	4%
Non-Manufacturing	23%	73%	3%
Non-Profit	47%	53%	0%
Organizational Size			
1-100	33%	61%	6%
101-500	41%	59%	0%
Over 500	42%	50%	8%

Figure 7 | Percentage of organizations that have a company policy to normally pay employees out on FMLA leave for a company holiday

	Percent
All Organizations	35%
Industry	
Manufacturing	35%
Non-Manufacturing	19%
Non-Profit	58%
Organizational Size	
1-100	34%
101-500	35%
Over 500	33%

Figure 8 | Percentage of organizations that require employees to keep up with insurance premium contributions while out on an unpaid FMLA leave of absence

	Yes	No	Not applicable
All Organizations	85%	13%	2%
Industry			
Manufacturing	81%	17%	2%
Non-Manufacturing	87%	10%	3%
Non-Profit	94%	6%	0%
Organizational Size			
1-100	88%	6%	6%
101-500	84%	16%	0%
Over 500	83%	17%	0%

Figure 9 | Percentage of organizations that have a leave of absence policy that employees can use if they do not qualify for FMLA

	Percent
All Organizations	81%
Industry	
Manufacturing	83%
Non-Manufacturing	74%
Non-Profit	83%
Organizational Size	
1-100	68%
101-500	88%
Over 500	83%

Figure 10 | Frequency with which organizations receive complaints from employees who do not want to count their time as FMLA

	Most of the time	Half of the time	Sometimes	Never
All Organizations	0%	0%	46%	54%
Industry				
Manufacturing	0%	0%	43%	57%
Non-Manufacturing	0%	0%	45%	55%
Non-Profit	0%	0%	56%	44%
Organizational Size				
1-100	0%	0%	32%	68%
101-500	0%	0%	45%	55%
Over 500	0%	0%	92%	8%

Figure 11 | Percentage of organizations that outsource their FMLA and coordinate with their EAP program

	Yes	No	Do not outsource	Do not have EAP
All Organizations	2%	6%	89%	3%
Industry				
Manufacturing	2%	11%	83%	4%
Non-Manufacturing	3%	0%	93%	3%
Non-Profit	0%	0%	100%	0%
Organizational Size				
1-100	0%	0%	94%	6%
101-500	2%	9%	87%	2%
Over 500	8%	8%	83%	0%

FMLA Certification & Notice
Summary of Key Findings

To determine whether an employee's request for FMLA qualifies as a serious health condition, most organizations (94%) always request medical certification or documentation and verify the reason given by the employee. Nearly a third of employers always use HR's judgement and knowledge of the reason for leave. A majority of organizations never use a nurse case manager to review FMLA certifications, request additional medical opinions, use supervisors' judgment of the reason for leave, or accept an employee's written or verbal reason for requesting leave.

When it comes to requiring fitness for duty certifications, 80% of employers report doing so. In addition, 66% include Function Job Descriptions with fitness for duty certifications. Most commonly, organizations require recertification or updated medical documentation of long-term, chronic serious health conditions if an employee exceeds the approved frequency or duration originally granted. Only 5% of organizations never require recertification or request updated medical documentation.

The most common type of notice given for the use of intermittent FMLA leave occurs the day of the absence, before the shift begins (50%), followed by one day prior (24%). While the average number of required days' notice for pregnancy/maternity leave is 27, the average reported notice given by employees for this type of leave is 60 days. The average number of required and given days' notice for FMLA leave due to acute and chronic serious medical conditions, catastrophic events, and the care of a family member, is much lower.

Figures & Tables

Figure 12 | Frequency with which organizations do the following to determine whether an employee's request for FMLA qualifies as a serious health condition

Request medical certification/documentation and verify reason given by employee

	Always	Most of the time	Half of the time	Sometimes	Never
All Organizations	94%	3%	0%	1%	2%
Industry					
Manufacturing	96%	2%	0%	0%	2%
Non-Manufacturing	94%	6%	0%	0%	0%
Non-Profit	89%	0%	0%	5%	5%
Organizational Size					
1-100	91%	6%	0%	0%	3%
101-500	95%	2%	0%	2%	2%
Over 500	100%	0%	0%	0%	0%

Directly contact employees' health care providers during the certification process

	Always	Most of the time	Half of the time	Sometimes	Never
All Organizations	6%	1%	5%	52%	36%
Industry					
Manufacturing	12%	0%	4%	58%	27%
Non-Manufacturing	0%	3%	3%	55%	39%
Non-Profit	0%	0%	11%	33%	56%
Organizational Size					
1-100	6%	3%	0%	38%	53%
101-500	4%	0%	4%	62%	31%
Over 500	17%	0%	25%	50%	8%

Use a nurse case manager or clinical resource to review FMLA certifications

	Always	Most of the time	Half of the time	Sometimes	Never
All Organizations	4%	0%	0%	8%	88%
Industry					
Manufacturing	8%	0%	0%	12%	81%
Non-Manufacturing	0%	0%	0%	0%	100%
Non-Profit	0%	0%	0%	11%	89%
Organizational Size					
1-100	0%	0%	0%	6%	94%
101-500	5%	0%	0%	5%	89%
Over 500	8%	0%	0%	25%	67%

Request a second or third medical opinion before granting FMLA leave

	Always	Most of the time	Half of the time	Sometimes	Never
All Organizations	1%	0%	0%	31%	68%
Industry					
Manufacturing	2%	0%	0%	33%	65%
Non-Manufacturing	0%	0%	0%	26%	74%
Non-Profit	0%	0%	0%	33%	67%
Organizational Size					
1-100	0%	0%	0%	21%	79%
101-500	2%	0%	0%	36%	62%
Over 500	0%	0%	0%	33%	67%

Use supervisors' judgment or knowledge of the reason for leave

	Always	Most of the time	Half of the time	Sometimes	Never
All Organizations	3%	3%	0%	18%	76%
Industry					
Manufacturing	0%	2%	0%	15%	83%
Non-Manufacturing	6%	3%	0%	26%	65%
Non-Profit	6%	6%	0%	11%	78%
Organizational Size					
1-100	6%	0%	0%	18%	76%
101-500	2%	5%	0%	18%	75%
Over 500	0%	0%	0%	17%	83%

Use HR's judgment and/or knowledge of the reason for leave

	Always	Most of the time	Half of the time	Sometimes	Never
All Organizations	32%	14%	4%	24%	27%
Industry					
Manufacturing	29%	12%	4%	27%	29%
Non-Manufacturing	32%	19%	6%	16%	26%
Non-Profit	39%	11%	0%	28%	22%
Organizational Size					
1-100	35%	12%	3%	26%	24%
101-500	31%	15%	5%	20%	29%
Over 500	25%	17%	0%	33%	25%

Accept employees' verbal/written reason for requesting leave and approve the request under FMLA

	Always	Most of the time	Half of the time	Sometimes	Never
All Organizations	8%	8%	1%	9%	74%
Industry					
Manufacturing	10%	8%	2%	8%	73%
Non-Manufacturing	0%	10%	0%	10%	81%
Non-Profit	17%	6%	0%	11%	67%
Organizational Size					
1-100	3%	9%	3%	12%	74%
101-500	11%	9%	0%	9%	71%
Over 500	8%	0%	0%	0%	92%

Figure 13 | Percentage of organizations that require fitness for duty certification

	Percent
All Organizations	80%
Industry	
Manufacturing	83%
Non-Manufacturing	68%
Non-Profit	89%
Organizational Size	
1-100	79%
101-500	81%
Over 500	75%

Figure 14 | Percentage of organizations that include Function Job Descriptions with fitness for duty certifications

	Yes	No	Not applicable
All Organizations	66%	14%	20%
Industry			
Manufacturing	70%	13%	17%
Non-Manufacturing	55%	16%	29%
Non-Profit	74%	11%	16%
Organizational Size			
1-100	65%	15%	21%
101-500	70%	12%	18%
Over 500	50%	17%	33%

Figure 15 | Frequency with which organizations require recertification or updated medical documentation of long-term, chronic serious health conditions

Only when notified of a change in condition or treatment

	Percent
All Organizations	11%
Industry	
Manufacturing	10%
Non-Manufacturing	13%
Non-Profit	11%
Organizational Size	
1-100	18%
101-500	9%
Over 500	0%

If an employee exceeds approved frequency or duration

	Percent
All Organizations	42%
Industry	
Manufacturing	35%
Non-Manufacturing	45%
Non-Profit	58%
Organizational Size	
1-100	59%
101-500	38%
Over 500	17%

Every 6 months in conjunction with absence

	Percent
All Organizations	21%
Industry	
Manufacturing	25%
Non-Manufacturing	16%
Non-Profit	16%
Organizational Size	
1-100	9%
101-500	21%
Over 500	50%

Annually

	Percent
All Organizations	22%
Industry	
Manufacturing	27%
Non-Manufacturing	19%
Non-Profit	11%
Organizational Size	
1-100	9%
101-500	27%
Over 500	33%

Never require recertification or updated medical documentation

	Percent
All Organizations	5%
Industry	
Manufacturing	4%
Non-Manufacturing	6%
Non-Profit	5%
Organizational Size	
1-100	6%
101-500	5%
Over 500	0%

Figure 16 | Percentage of organizations reporting the following amounts of notice are "most common" for use of intermittent FMLA leave

	One day prior	Day of absence before shift begins	During work shift	One day following absence	Other
All Organizations	24%	50%	4%	3%	20%
Industry					
Manufacturing	21%	57%	6%	0%	17%
Non-Manufacturing	33%	50%	3%	3%	10%
Non-Profit	17%	28%	0%	11%	44%
Organizational Size					
1-100	38%	41%	3%	0%	19%
101-500	21%	53%	5%	4%	18%
Over 500	0%	58%	0%	8%	33%

Other amounts of notice cited by organizations:
- As soon as possible, when known, otherwise 24 hours
- It is situational; however, generally within 30 days of anticipated intermittent FMLA leave.
- Varies
- As soon as known
- ASAP
- Advance notice 2-4 weeks
- Depends on circumstances
- One week
- Usually approved before it begins, plenty of time in advance. We do not receive very many requests for intermittent leave.
- Usually 48 hours prior
- Various. 1 day to 1 month notice

Figure 17 | Number of required and average days notice that employees give before taking FMLA leave for pregnancy/maternity leave

	Average # of required days notice	Average # of days notice
All Organizations	27	60
Industry		
Manufacturing	29	62
Non-Manufacturing	26	59
Non-Profit	24	54
Organizational Size		
1-100	22	41
101-500	29	68
Over 500	26	75

Figure 18 | Number of required and average days notice that employees give before taking FMLA leave for a serious health condition (acute)

	Average # of required days notice	Average # of days notice
All Organizations	16	8
Industry		
Manufacturing	14	6
Non-Manufacturing	18	10
Non-Profit	17	7
Organizational Size		
1-100	15	8
101-500	14	8
Over 500	21	6

Figure 19 | Number of required and average days notice that employees give before taking FMLA leave for a serious health condition (chronic)

	Average # of required days notice	Average # of days notice
All Organizations	20	11
Industry		
Manufacturing	20	9
Non-Manufacturing	19	13
Non-Profit	22	13
Organizational Size		
1-100	19	11
101-500	18	11
Over 500	28	13

Figure 20 | Number of required and average days notice that employees give before taking FMLA leave for a catastrophic event

	Average # of required days notice	Average # of days notice
All Organizations	9	1
Industry		
Manufacturing	10	n/a
Non-Manufacturing	10	3
Non-Profit	4	1
Organizational Size		
1-100	6	1
101-500	8	1
Over 500	17	n/a

Figure 21 | Number of required and average days notice that employees give before taking FMLA leave for the care of a family member

	Average # of required days notice	Average # of days notice
All Organizations	19	10
Industry		
Manufacturing	19	9
Non-Manufacturing	17	11
Non-Profit	22	10
Organizational Size		
1-100	18	9
101-500	17	10
Over 500	26	9

FMLA Usage

Summary of Key Findings

The most common percentage range of employees that took FMLA leave in the last 12 months is 1-10%. A large majority of organizations did not deny any FMLA claims this past year (70%), while nearly one-fourth reported denying 1-10% of claims. The average proportion of FMLA leave absences due to an acute serious health condition for all surveyed organizations is 24%, followed by 23% due to pregnancy and 20% due to a chronic health condition.

On average, intermittent absences that last less than a full workday and are due to a serious health condition last 6 hours. When employees use intermittent leave, 84% of employers allow employees to rejoin mid-shift and 5% require they take an entire shift as leave.

Of those employees who took FMLA leave in the past year, an average of 20% exhausted their allotment, and 4% needed to extend their leave under ADA.

Figures & Tables

Figure 22 | Percentage of employees that took FMLA leave in the last 12 months

	0%	1-10%	11-20%	21-28%	29-40%	More than 40%	Do not track
All Organizations	5%	73%	15%	3%	0%	0%	5%
Industry							
Manufacturing	4%	76%	13%	4%	0%	0%	4%
Non-Manufacturing	10%	70%	13%	0%	0%	0%	7%
Non-Profit	0%	68%	21%	5%	0%	0%	5%
Organizational Size							
1-100	14%	77%	6%	0%	0%	0%	3%
101-500	0%	73%	18%	5%	0%	0%	4%
Over 500	0%	58%	25%	0%	0%	0%	17%

Figure 23 | Percentage of FMLA claims denied in the last 12 months

	0%	1-10%	11-20%	21-28%	29-40%	More than 40%	Do not track
All Organizations	70%	24%	3%	0%	0%	0%	4%
Industry							
Manufacturing	60%	32%	4%	0%	0%	0%	4%
Non-Manufacturing	74%	16%	3%	0%	0%	0%	6%
Non-Profit	89%	11%	0%	0%	0%	0%	0%
Organizational Size							
1-100	88%	9%	0%	0%	0%	0%	3%
101-500	61%	33%	4%	0%	0%	0%	2%
Over 500	58%	17%	8%	0%	0%	0%	17%

Figure 24 | Average percentage of FMLA leave absences due to pregnancy/maternity leave

	Average
All Organizations	23%
Industry	
Manufacturing	13%
Non-Manufacturing	36%
Non-Profit	26%
Organizational Size	
1-100	24%
101-500	20%
Over 500	28%

Figure 25 | Average percentage of FMLA leave absences due to serious health condition (acute)

	Average
All Organizations	24%
Industry	
Manufacturing	29%
Non-Manufacturing	13%
Non-Profit	23%
Organizational Size	
1-100	30%
101-500	19%
Over 500	28%

Figure 26 | Average percentage of FMLA leave absences due to serious health condition (chronic)

	Average
All Organizations	20%
Industry	
Manufacturing	21%
Non-Manufacturing	23%
Non-Profit	17%
Organizational Size	
1-100	17%
101-500	23%
Over 500	17%

Figure 27 | Average percentage of FMLA leave absences due to catastrophic event

	Average
All Organizations	2%
Industry	
Manufacturing	3%
Non-Manufacturing	1%
Non-Profit	3%
Organizational Size	
1-100	1%
101-500	2%
Over 500	4%

Figure 28 | Average percentage of FMLA leave absences due to care of a family member

	Average
All Organizations	11%
Industry	
Manufacturing	11%
Non-Manufacturing	10%
Non-Profit	12%
Organizational Size	
1-100	15%
101-500	9%
Over 500	12%

Figure 29 | Average minimum increment that employees can take FMLA (in minutes)

	Average
All Organizations	64
Industry	
Manufacturing	71
Non-Manufacturing	49
Non-Profit	71
Organizational Size	
1-100	84
101-500	55
Over 500	56

Figure 30 | Average duration of episodes which occur less than one full workday, for serious health conditions (in hours)

	Average
All Organizations	6
Industry	
Manufacturing	7
Non-Manufacturing	5
Non-Profit	5
Organizational Size	
1-100	5
101-500	7
Over 500	5

Figure 31 | Percentage of organizations that allow shift-workers to rejoin mid-shift or require entire shift as leave

	Rejoin mid-shift	Require entire shift as leave	Varies
All Organizations	84%	5%	11%
Industry			
Manufacturing	82%	7%	11%
Non-Manufacturing	88%	4%	8%
Non-Profit	86%	0%	14%
Organizational Size			
1-100	89%	0%	11%
101-500	80%	7%	13%
Over 500	89%	11%	0%

Variations specified:

- Minimum of 4 hours
- A pre-arranged doctor's exam can be recorded as FMLA time, with the employee allowed to either leave early or arrive late as needed.
- Depends on specific situation, will allow to rejoin if practical.
- May start late or leave early as needed

Figure 32 | Average percent of employees who took FMLA in the past year who exhausted their allotment

	Average
All Organizations	20%
Industry	
Manufacturing	21%
Non-Manufacturing	14%
Non-Profit	29%
Organizational Size	
1-100	24%
101-500	19%
Over 500	20%

Figure 33 | Average percent of employees who took FMLA in the past year who needed to extend their leave under ADA

	Average
All Organizations	4%
Industry	
Manufacturing	4%
Non-Manufacturing	4%
Non-Profit	3%
Organizational Size	
1-100	6%
101-500	2%
Over 500	7%

FMLA Challenges

Summary of Key Findings

Well over half (72%) of employers believe they are capturing all organizational situations which should be labeled as FMLA. Despite this, organizations are still facing several difficulties regarding FMLA administration, the most commonly cited being tracking. Overall, 45% of employers feel satisfied with their FMLA administration while 15% feel very satisfied.

If it could save money and lower their bottom line, nearly half of all organizations would consider outsourcing their administration of FMLA.

Figures & Tables

Figure 34 | Percentage of organizations who believe they are capturing all situations at their organization which should be designated as FMLA

	Average
All Organizations	72%
Industry	
Manufacturing	66%
Non-Manufacturing	87%
Non-Profit	63%
Organizational Size	
1-100	82%
101-500	68%
Over 500	58%

Figure 35 | Percentage of organizations whose biggest challenge with FMLA is one of the following

Meeting paperwork timeframes designated by DOL

	Percent
All Organizations	11%
Industry	
Manufacturing	11%
Non-Manufacturing	13%
Non-Profit	5%
Organizational Size	
1-100	9%
101-500	11%
Over 500	17%

Comments regarding difficulty of meeting paperwork timeframes:
- Prior to us outsourcing FMLA, employees did not meet the 15 calendar-day deadline
- Receiving certification back from HCP

Tracking

	Percent
All Organizations	26%
Industry	
Manufacturing	30%
Non-Manufacturing	23%
Non-Profit	21%
Organizational Size	
1-100	26%
101-500	26%
Over 500	25%

Comments regarding tracking difficulties:
- Current HRIS and Payroll system limitations - highly administrative process to track and record FMLA
- We are manually tracking
- Finding out if it is FMLA time or vacation time someone is taking or both
- I need a better method than spreadsheets
- Intermittent leave is the most difficult to track
- Tracking intermittent leave is done manually

- Difficult for employees to remember to request FMLA when calling in. Most of my FMLA is intermittent
- We rely on paper slips and supervisor reporting to label it FMLA
- When associates are on intermittent leave making sure these hours get tracked and making sure everyone who has a FMLA circumstance is being given the paperwork and getting the documents completed correctly
- Where to begin deduction time and where to begin to add back time
- We prepare paperwork and track manually. We are working to integrate the tracking into our HRIS/Payroll system. It currently requires much administrative work

Determining the overall costs associated with FMLA absences

	Percent
All Organizations	17%
Industry	
Manufacturing	15%
Non-Manufacturing	19%
Non-Profit	16%
Organizational Size	
1-100	18%
101-500	16%
Over 500	17%

Comments regarding cost difficulties:

- Trying to cover absences of the employee can be costly
- It's easy to understand the employee salary impact when on FMLA but it's hard to determine the cost value of the business impact to lose employees temporarily and have their coworkers/team do extra work while they are short a team member
- It's hard to measure the total cost when you factor in administration, absence, coverage and benefits

Determining what constitutes a serious health condition

	Percent
All Organizations	13%
Industry	
Manufacturing	13%
Non-Manufacturing	3%
Non-Profit	26%
Organizational Size	
1-100	12%
101-500	14%
Over 500	8%

Comments regarding difficulty determining what constitutes a serious health condition:

- No clear definition…
- Employee embellishment with physician concurring

Overall compliance

	Percent
All Organizations	15%
Industry	
Manufacturing	11%
Non-Manufacturing	19%
Non-Profit	16%
Organizational Size	
1-100	18%
101-500	14%
Over 500	8%

Comments regarding overall compliance difficulties:

- Each case is different and requires research and sometimes consultation with experts to be in compliance with DOL laws
- Getting staff to notify on a timely basis … sometimes they are out for a surgical procedure and we have no prior notification
- General training would be beneficial for HR and managers
- Hard to keep up with changing laws and regulations

Other

	Percent
All Organizations	19%
Industry	
Manufacturing	19%
Non-Manufacturing	23%
Non-Profit	16%
Organizational Size	
1-100	18%
101-500	19%
Over 500	25%

Other biggest challenges with FMLA:

- Redistribution of work (coverage for absence)
- Legal questions surrounding the request
- Coordination with other leaves and with medical insurance and stop loss carrier
- Getting employees to complete paperwork
- Controlling potential abuse at the employee level
- Getting timely notice from our 3rd party vendor
- Employee notification
- Abuse of Intermittent FMLA
- Automating a lot of the 'in-between' processes
- Realizing I need to do some research on FMLA - we've never had to deal with it and don't have policy set up around it
- Being informed of the need ahead of time

Figure 36 | Percentage of organizations that are satisfied with their current FMLA administration process

	Very satisfied	Satisfied	Somewhat satisfied	Unsatisfied	Very unsatisfied
All Organizations	15%	45%	28%	11%	1%
Industry					
Manufacturing	13%	42%	30%	15%	0%
Non-Manufacturing	17%	47%	27%	7%	3%
Non-Profit	16%	53%	26%	5%	0%
Organizational Size					
1-100	12%	52%	24%	12%	0%
101-500	14%	42%	32%	11%	2%
Over 500	25%	42%	25%	8%	0%

Figure 37 | Percentage of organizations who would consider outsourcing the administration of FMLA if it would save their organization money/lower their bottom line

	Percent
All Organizations	48%
Industry	
Manufacturing	52%
Non-Manufacturing	52%
Non-Profit	32%
Organizational Size	
1-100	31%
101-500	51%
Over 500	83%

Respondent Demographics

Below is a breakdown of the industries and sizes that the 105 respondents represent.

	Percent
Industry	
Manufacturing	52%
Non-Manufacturing	30%
Energy/Utility	1%
Entertainment	1%
Financial Services	3%
Food Industry	1%
Government	1%
Healthcare (Non-Hospital)	9%
Media	1%
Service	13%
Technology	6%
Transportation	2%
Non-Profit	18%
Education	4%
Hospital	2%
Organizational Size	
1-100	34%
101-500	54%
Over 500	11%

Participating Organizations

Thank you to the following organizations for their participation!

Aluminum Line Products Company
1 EDI Source, Inc.
Akron-Canton Regional Foodbank
ARaymond Tinnerman
Bardons & Oliver
BAY CORPORATION
MCPc Inc.
C&K Industrial Service
Carlisle Brake and Friction
CASNET
Century Federal Credit Union
Clark-Reliance Corporation
Cleveland Museum of Natural History
Congregation of St. Joseph
Cornwell Quality Tools Company
Corporate Screening Services, Inc.
Cowen Truck Line, Inc.
Crystal Clinic Orthopaedic Center
Custom Products
Dreison International, Inc.
Duramax Marine LLC
ECKART America
EGC Enterprises
Enerco Group Inc
Energy Focus, Inc.
FFR Merchandising
Flow Polymers, LLC
Freeman Mfg. & Supply Co.
GLT Companies
Goldberg Companies, Inc
Graco, Inc.
Greater Cleveland Partnership
HC Starck
Health Design Plus
Holden Arboretum
Horizons, Inc.
Hose Master
HP Manufacturing
Hy-Tech Controls
ID Images
Innovairre Communications
Integrated Marketing Technologies, Inc.
Intigral
JD Norman Industries, Inc.
Jenne, Inc.
Jewish Federation of Cleveland
John Wieland Homes, LLC
Kaufman Container Company
Kerr Lakeside Inc.
Koinonia
Leiden Cabinet
LifeShare Community Blood Services

Little Tikes
MACtac
Main Street Gourmet
Majestic Steel USA, Inc.
Malco Products Inc
Mantaline Corporation
Mature Services, Inc.
Medical Service Company
MediQuant, Inc.
Meister Media Worldwide
Merritt Woodwork
Meyer Products
More Than Gourmet
MTD Products
National Association of College Stores
NEOMED
New Avenues to Independence
Nook Indusstries, Inc
OhioGuidestone
Park Place Technologies
Pearne & Gordon LLP
Pirmary Packaging Inc.
PolyOne Corporation
ProSites
Pyrotek Inc.
R.W.Beckett Corporation
Revenue Group
Robin Industries, Inc.
Saint Ignatius High School
ShurTech Brands LLC
Smithers-Oasis Company
Superior Roll Forming
Tangent Company LLC
Tap Packaging Solutions
The Centers for Families and Children
The Step2 Company, LLC
Thompson Hine LLP
TMG Performance Products, LLC
Toledo Lucas County Public Library
TT Electronics Integrated Manufacturing Services
The Union Club Company
United Initiators
University Hospitals/St. John Medical Center
Waltco Lift Corp.
Weatherchem
Weltman, Weinberg & Reis Co. L.P.A.
Wheeler Mfg.
Wild Republic
Western Reserve Area Agency on Aging
Wyman-Gordon Forgings

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