**QUESTIONS and ANSWERS - April 2017 HR Management meetings**

**Florie Montoya - Talent Acquisition and Compensation**

**ELEVATE / HCM Update**

Q: You mentioned issues with leave not being adjusted when a dock in pay takes place. We have been successful in having the system adjust leave appropriately in a dock situation.

A: We have found that the system is inconsistent. If you have a dock situation, be sure to check to make sure the leave has been adjusted appropriately.

Q: If we will be using a different applicant tracking system than Boulder, how will this impact the candidate experience on the CU Careers page?

A: We will work closely with the other campuses to format the CU Careers page so it is easy for candidates to navigate and it is clear what jobs are available on each campus. We will include instructions on how to apply for different types of positions on each campus.

Q: Was Employee Services planning to come to our HR Management meetings this month?

A: We tried to come up with a time that would work for all presenters including the HR/GL group and wanted to hold a town hall on a separate date. We were not able to find a date that worked for all presenters. To ensure there was an update on HR/GL as well, we invited Amy Gannon to provide updates. We will partner with Employee Services on future town hall meetings.

Q: Will FTE/Standard Hours impact the merit/table 1 process? When will this be addressed in HCM?

A: We will follow up with the budget office on this. We are having initial discussions about this and it is scheduled for Wave 3.

**Kaylene McCrum – HR Operations**

**Verifications of Employment**

Q: Is the new process for verifications of employment effective now?

A: Yes, the new VOE process is effective immediately.

Q: Are the changes for written and verbal verifications of employment?

A: Yes, the changes are for both written and verbal verifications of employment.

**Doug Kasyon – Employee Performance and Development**

**Managing FML Refresher**

Q: What happens after FML has ended?

A: It is our practice to review the amount of accrued leave an employee has and engage in a discussion with the school/college/department regarding any ongoing operational or fiscal hardship, before considering termination. If all job-protected leave (this may also include short-term disability leave in the case of classified staff) and all other accrued leaves are exhausted, an employee is typically provided a letter notifying them of that and identifying a date by which the employee needs to be able to be fit to return to duty, with or without an accommodation.

Q: Are the 15 days in which the employee has to return the medical certification business days or calendar days?

A: It is 15 calendar days.
Q: Is there an obligation to designate FML if someone has thousands of sick leave hours? Is a med cert required?
A: The amount of accrued sick or annual leave doesn’t impact an employer’s legal requirement to designate leave. The employer is responsible in all circumstances for designating leave as FMLA-qualifying, and for giving notice of the designation to the employee. When the employer has enough information to determine whether the leave is being taken for a FMLA-qualifying reason (e.g., after receiving a certification), the employer must notify the employee whether the leave will be designated, and will be counted as FMLA leave within five business days absent extenuating circumstances.

Q: Should I provide the medical documentation by attaching it to the ePAR action in HCM?
A: Due to the sensitive nature of the information and the broad access that individuals have to the system, please do not attach them to the action submitted in HCM. Instead, please forward the documentation to melissa.flippin@ucdenver.edu.

Q: Are emails containing a medical certification sent within the university encrypted?
A: Yes.

Q: How long should I hold on to the medical certification in my school/college/department?
A: Please retain that documentation for at least the duration of the medical condition it covers so you can manage the situation and identify if there is any need for an update due to events that are inconsistent with the prognosis (example - a differing in the number of days off required in a given week or month). If HR has also been provided the documentation, we will have a record that can be referred to after that period.

Q: What is the interplay between FML medical certification and HIPAA?
A: When employees requesting leave under the FMLA for a serious health condition submit a medical certification form completed by their healthcare provider to their employer, or ask their medical provider to provide it directly to their employer, documentation received in this manner is considered an employment record, not a health care record and, therefore, is not covered by HIPAA Privacy requirements. To create firewalls between health records and employment records, employers should maintain those categories of records in separate files.

Q: Is the medical certification document used only for FMLA designation?
A: No. The medical certification can also be useful in confirming the need for sick leave for someone who does not qualify for FMLA coverage. Medical certification of an extended illness should be required after three days of continuous absence regardless of whether it may qualify for FML.

Q: Is it okay for someone to work during FML?
A: It is, BUT there should be documentation via the medical certification regarding the employee’s ability to work during coverage, as well as a supervisor’s approval and understanding of what specifically will be accomplished. This would involve designating the FML as intermittent.