FMLA Decision Tree

Is the leave due to an employee’s serious health condition, pregnancy, childbirth, or adoption?

- **YES**

  Is the leave due to the serious health condition of the employee’s spouse, child, or parent?

  - **YES**
    - FMLA does not apply.
  
  - **NO**
    - Has the employee been employed for at least 12 months and worked at least 1250 hours during the last year, exclusive of leave, closings, and holidays?

    - **YES**
      - Is the absence due to hospitalization in excess of 3 calendar days and require subsequent treatment by a healthcare provider?

        - **YES**
          - Does the completed certification form support the need for absence?

            - **YES**
              - FMLA Applies.
            
            - **NO**
              - FMLA does not apply. Further investigation may be needed.
        
        - **NO**
          - Is the absence due to the health condition that requires treatment or a chronic condition that can cause the employee to take leave intermittently?

            - **YES**
              - FMLA Applies.
            
            - **NO**
              - FMLA does not apply.

    - **NO**
      - FMLA does not apply.

- **NO**

  Is the absence due to hospitalization in excess of 3 calendar days and require subsequent treatment by a healthcare provider?

    - **YES**
      - Does the completed certification form support the need for absence?

        - **YES**
          - FMLA Applies.
        
        - **NO**
          - FMLA does not apply. Further investigation may be needed.
    
    - **NO**
      - FMLA does not apply.