

From: [Valerie Kurtz](#)
To: [WHDPRAComments](#)
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Aloha,

I am an HR Generalist for 4 restaurants throughout the State of Hawaii. In this capacity, I am responsible for overseeing all leave administration.

While I believe these changes to the FMLA documents were intended to clarify the process, I feel that the new forms would actually open us up to more abuse, and reduce our ability to effectively manage FMLA. The details below address my concerns with each form.

Notice of Eligibility and Rights/Responsibilities

- 6 pages is excessive and makes it almost impossible to follow the flow of the form.
- The old structure is easier to follow and understand.

Certification for the Employee's Serious Health Condition -

- Adding the additional information under the employer section is redundant, and increases the opportunity for errors and discrepancies between the notice of eligibility/rights & responsibilities.
- The check box structure for the medical provider is confusing. The current structure allows us more flexibility to ID whether or not the condition is FMLA qualifying. Under this structure with the check boxes, they're essentially guaranteed FMLA if they request it.
- There should be more lines to fill in medical facts under Item 9. Two lines are not enough.
- Under Part B, could you add a "Will Not" option for each of these? This section is very confusing and hard to follow, and feel the doctors will be confused as well.
- I like that under part C, there is a place to state that the employee is/was/will be able to perform all of their job functions.
- I like the definition of a serious health condition added on the final page, but feel this would be best to provide to the employer, rather than the employee.

Certification for the Serious Health Condition of the Family Member –

- I like the check box structure on the relation to the employee, and the care provided.
- Adding the additional information under the employer section seems redundant and increases the opportunity for errors and discrepancies between the notice of eligibility/rights & responsibilities.
- However, I do like the information being on that form. Perhaps it could be removed from the notice of eligibility form since that's now 6 pages long?
- The check box structure for the medical provider is confusing. Also, if an employee is trying to abuse FMLA, the current structure allows us more flexibility to ID whether or not the condition is FMLA qualifying. Under this structure with the check boxes, they're essentially guaranteed FMLA if they request it.
- There should be more lines to fill in medical facts under Item 9. 2 is not enough.

- Under Part B, could you add a will not option for each of these? Again, I find this flow very confusing and hard to follow. I have no doubt the doctors will as well.
- I like that under part C, there is a place to state that the employee is/was/will be able to perform all of their job functions.
- I like the definition of a serious health condition added on the final page. But, would this be better to provide just to the employer? Does the employee really need it?

Designation Notice

- 4 pages is a bit excessive, and it's difficult to follow. The shorter structure works better in my opinion.

Mahalo for your consideration,

Valerie Kurtz

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