

Waterman, Robert - WHD

From: Debbie Tankersely <dtankersely@ipma-hr.org>
Sent: Friday, October 04, 2019 9:14 AM
To: WHDPRAComments
Subject: FMLA Proposed Forms Revision, Control #1235-0003
Attachments: WHDPRA-10042019085215.pdf

To whom it may concern:

Please find attached our comments on the proposed revision to the Family and Medical Leave Act (FMLA) forms.

Thank you,

Debbie Tankersely-Snook
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October 3, 2019

Division of Regulations, Legislation and Interpretation
Wage and Hour Division
US Department of Labor
200 Constitution Avenue, NW
Room S-3502
Washington, DC 20210

Re: FMLA Proposed Forms Revision, Control #1235-0003

The International Public Management Association for Human Resources (IPMA-HR) appreciates the opportunity to submit comments on the proposed revisions to the Family and Medical Leave Act (FMLA) forms. IPMA-HR members work in public sector human resource management and many of their human resource departments are responsible for managing and administering the FMLA for their organizations.

Overall, IPMA-HR members believe the proposed forms are an improvement over the current forms. While the forms are more detailed and lengthy, they should allow employers to obtain sufficient information regarding the status and length of care for employees or family members. The revised forms should result in less errors and omissions.

We would recommend that a fitness for duty form be developed so that when the employees are released from their doctors, they could complete the form. Currently, some of our members have experienced a lot of errors in submissions by doctors.

Here are some comments on specific forms:

WH380E – Certification of Employees Serious Health Conditions

- Overall comment is that the form went from 4 to 6 pages and is cumbersome for the employer and provider to fill out the additional sections. Also, there is no place for the employee to fill out initial information such as name, address, phone number, and signature authorizing the release of information.
- Section 1 – We recommend that the employer instructions be on page 1. The wording on item #4 limits employees to obtaining the form only 15 days before they are going to their providers.
- Section 2 – The health care provider instructions should be moved to page 2 rather than being on the last page.

Solutions for **Public HR Excellence**

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WH382 – Designation Notice

- The proposed changes make the form difficult to understand and cumbersome for employers to complete. Additionally, a lot of the information that is collected is duplicative to form WH381.

WH381 – Notice of Eligibility, Rights and Responsibilities

- We recommend keeping the current form rather than expanding it from 2 pages to 6 pages.

Please do not hesitate to contact me if you have any questions or would like any additional information on our comments.

Sincerely,

A handwritten signature in cursive script that reads "Neil Reichenberg".

Neil Reichenberg
Executive Director