

**From:** [Haykin, Jenny](#)  
**To:** [WHDPRAComments](#)  
**Cc:** [Collin, Stephanie](#)  
**Subject:** FMLA forms comments  
**Date:** Tuesday, October 01, 2019 2:22:38 PM

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Hello,

Stephanie Collin, Leaves Analyst, and I have reviewed the proposed revisions to the FMLA forms. Here is our feedback:

In the e-mail I received with this text “ We encourage you to take advantage of this unique opportunity and **submit your comments to the Department of Labor by the Oct. 4, 2019 deadline.** If you are interested in submitting comments, [send an email](#) directly to the DOL after reviewing the [potential changes](#).” The e-mail “send an e-mail hyperlink is not [WHDPRAComments@DOL.gov](mailto:WHDPRAComments@DOL.gov) as intended, it is <mailto:WHDPRAComments@dol.gov?subject=FMLA%20Forms%20>.

The language “generally, at least 15 calendar days” sounds uncertain. “A minimum of 15 calendar days” is more certain.

The references at the bottom of the forms about the Paperwork Reduction Act start with a sentence about how long to store the documentation, then speaks to how long the forms will take. These are two different topics and will be more easily understood in two separate bullet points or paragraphs. When I first read it I thought the DOL was commenting on how long storing or accessing the forms in storage would take, given the topic of the starting paragraph.

The language, “additionally you may not request a certification for FMLA leave to bond with a healthy newborn child or a child placed for adoption or foster care” should be paired with information (proof of birth or adoption) of what documentation an employer can ask for. Also on this topic, WH 382 implies that a certification can be asked for.

More clarity is needed on WH 381 in regards to the statement “you may choose to provide a statement of relationship”. This implies other documentation is optional and can just be a handwritten note to cover the documentation requirements when actually employers are allowed to require a birth certificate or proof of placement.

Thank you for the opportunity to review and comment on the proposed forms.

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