

Basics of FMLA

Frequently Asked Questions

“What is the difference between Intermittent (INT) and Continuous (CONT) FMLA?”

The difference is pretty straight-forward.

- **INT FMLA** allows employees to take time off as needed and approved with supporting physician's documentation. The frequency (how many times per month) and duration (how many days per month) is dependent on individual needs for treatments of chronic illnesses.
- **CONT FMLA** is taken continuously for an extended period of time, without interruption. This type of leave is usually used for a serious health condition which requires a long recovery time but can be used for a shorter illness. CONT FMLA must be 5 consecutive days or more and Flight Attendants will need to follow the return to work process.

“Is FMLA a paid leave of absence?”

You can be paid out of your accrued sick bank for FMLA (INT or CONT) when you are taking it for your own personal medical reasons. INT FMLA is paid like other sick calls - applicable TFP paid out of your accrued sick bank for assignments missed. CONT FMLA allows a Flight Attendant the option of being paid up to one hundred thirty (130) TFP from their accumulated sick bank per bid month.

When INT FMLA or CONT FMLA is approved for the care of a loved one, the Flight Attendant may use accrued, unused vacation pay, but compensation will not be paid from the employee's accrued sick bank.

“What is the maximum number of FMLA days per 12-month period?”

You can still use up to seventy-two (72) days of FMLA per federal law.

“What is considered a ‘serious health condition’?”

“A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.” - SWA Employee Rights and Responsibilities Notice Under the Family Medical Leave Act (“FMLA”)

“How do I know if I qualify for INT or CONT FMLA?”

You will need to contact the Southwest Leave Administration Team by creating a case in Workday.

SWALife > Workday > Menu - “Leave, OJI, & Accommodations” > “Create Case” > “General Leave Inquiry”



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“How do I apply for FMLA?”

The first step will be to set up a claim and getting your medical provider to fill out all appropriate forms/documentation required by your Case Manager via Workday. The required forms will be in your Workday case via a link to print and download. After your physician has filled out the required forms, you will attach them to your case in Workday for review by your Case Manager.

IMPORTANT NOTE: Emailed and faxed FMLA forms will no longer be accepted. FMLA documentation must be submitted via your case in Workday.

“Can I apply for a new INT FMLA claim if I have at least 504 qualifying hours in the last 12 month period, but I have zero FMLA days to use?”

Yes, as long as you have at least 504 qualifying duty hours, you can apply and be approved for an INT FMLA claim. However, you will not be able to apply INT FMLA to an absence until you have accrued back FMLA day(s).

“Can I apply for a CONT FMLA claim if I have the required qualifying hours, but I do not have FMLA days to use?”

No. If you do not have FMLA days to use then you cannot apply for a CONT FMLA claim. You can apply for an available contractual Medical Leave per Article 15.2. **NOTE:** There are no minimum requirements to apply for a Medical Leave but it must be fourteen (14) consecutive days or more.

“I have an approved INT FMLA claim for a personal health reason. When I need it... how do I use it?”

Flight Attendants needing to use an approved (or pending) INT FMLA claim for themselves must provide a timely notice of illness/injury and comply with all reporting requirements in our Contract. A timely report of illness/injury requires you to notify Crew Scheduling (via ERS or phone) of your absence at least two (2) hours prior to your scheduled report time for an assignment. Once you have reported your illness/injury and been pulled from your assignment, you will need to create a case in Workday.

SWALife > Workday > Menu - “Leave, OJI, & Accommodations” > Create Case > Case Type - “Intermittent FMLA” > Include your FMLA case number in the “Case Title” or “Description” box

“How do I use INT FMLA for a loved one?”

If you have approved INT FMLA for the care of a loved one, you use it the same way as if you’re using it for yourself.

IMPORTANT NOTE: While you submit via the same pathway in Workday, INT FMLA for the care of a loved one is **UNPAID**, even if you mark paid. If you want to be paid from your accrued and unused vacation, create the case to use your approved INT FMLA and then include in the chat your request to be paid from your vacation.

“If I have any questions about FMLA or my pending case, who do I contact?”

You will need to contact the Southwest Leave Administration team via Workday.

SWALife > Workday > Menu - “Leave, OJI, & Accommodations” > “Create Case” > “General Leave Inquiry”