



UNIVERSITY SYSTEM OF MARYLAND

Form 2 – Notice of Eligibility, Rights, and Responsibilities

Federal Family and Medical Leave (FMLA) and/or Maryland Paid Family and Medical Leave (PFML)

Confidential – HR Use Only

Date Issued: _____ Date Leave Requested: _____

Employee Name: _____ UID / Employee ID: _____

Institution: _____ Department: _____

Section I – FMLA Eligibility Determination

You are eligible for FMLA leave.

You are **not** eligible for FMLA leave for the following reason(s):

- You have not met the 12-month service requirement.
- You have not met the 1,040-hour requirement in the preceding 12 months.
- The reason for leave does not qualify under FMLA.
- Other: _____

FMLA Entitlement Summary

If eligible, you are entitled to:

- Up to twelve (12) workweeks of FMLA leave in a 12-month period measured forward from the date your first FMLA leave begins; or
- Up to twenty-six (26) workweeks of FMLA leave in a single 12-month period measured forward from the date military caregiver leave begins.

FMLA leave is job-protected. Upon return, you will generally be restored to the same or an equivalent position, subject to applicable legal exceptions.

Estimated FMLA hours remaining (if known): _____

Section II – PFML Eligibility Determination

You are eligible for PFML leave.

You are **not** eligible for PFML leave for the following reason(s):

You are not in an eligible employee category.

The reason for leave does not qualify under PFML.

Statutory exclusion applies.

Other: _____

PFML Entitlement Summary

If eligible, you are entitled to:

- Up to 12 weeks (480 hours) of PFML leave in a PFML Application Year;
- Up to 24 weeks (960 hours) in limited circumstances where both parental leave and the employee's own serious health condition occur in the same Application Year.

The PFML Application Year begins on the Sunday of the calendar week in which PFML leave begins.

Estimated PFML hours remaining (if known): _____

PFML leave is job-protected. Upon return, you will generally be restored to the same or an equivalent position, subject to applicable legal exceptions.

Section III – Concurrent Designation

If you are eligible for both FMLA and PFML, leave will generally run concurrently to the extent permitted by law.

Eligibility under FMLA and PFML is determined separately, and entitlements are tracked separately.

Military caregiver and qualifying exigency leave are provided under FMLA and may not qualify for PFML benefits.

Section IV – Certification and Documentation Requirements

- No medical certification required (bonding leave). Reasonable documentation of birth or placement may be required.
- Certification of Health Care Provider – Employee’s Serious Health Condition (Form 3A) is required.
- Certification of Health Care Provider – Family Member’s Serious Health Condition (Form 3B) is required.
- Certification for Military Caregiver Leave is required.
- Documentation of Qualifying Exigency is required.
- Other documentation required: _____

Certification/documentation must be returned no later than: _____

Failure to provide required certification may result in delay or denial of leave protection.

Section V – Pay and Benefits

A. Pay Status

FMLA leave is generally unpaid; however, the University may require or permit substitution of accrued paid leave in accordance with applicable policy.

PFML leave is paid at the employee’s regular rate of pay and may not be conditioned upon exhaustion of accrued leave.

B. Benefits Continuation

During approved FMLA and/or PFML leave, group health insurance will generally continue under the same terms as if you were actively working.

You remain responsible for your share of premium contributions.

Failure to timely pay required premiums may result in loss of coverage.

If you do not return to work following unpaid FMLA leave (subject to permitted exceptions), the University may seek recovery of the employer share of premiums paid during the unpaid FMLA period.

C. Fitness-for-Duty Certification

If leave is due to your own serious health condition, a fitness-for-duty certification may be required prior to return to work, consistent with applicable law.

- Fitness-for-duty certification will be required.
 Fitness-for-duty certification will **not** be required.

Section VI – Employee Responsibilities

You must:

- Provide timely and complete certification, if required.
- Comply with institutional call-in procedures during leave.
- Provide updates regarding status and intent to return to work, if requested.

Failure to comply with these responsibilities may affect leave protections.

The University prohibits interference with, restraint of, or retaliation against any employee requesting or taking leave under FMLA or PFML. Employees who believe their rights have been violated may report concerns to their institution's Human Resources Office.

Section VII – Reconsideration / Appeal

If you disagree with this eligibility determination, you may submit a written request for reconsideration within ten (10) business days of this notice, including any additional documentation you wish to have considered.

Submit requests to:

University CHRO or designee: _____

Email: _____ Phone: _____

Section VIII – Acknowledgment of Receipt

Employee acknowledgment confirms receipt of this notice (not agreement with the determination).

Employee Signature: _____ Date: _____