



# Workplace Possibilities Program

## Assistance for Employees on Family Medical Leave

The Workplace Possibilities Program can be a valuable service for those covered employees who are on FMLA but have not filed a short-term or long-term disability claim. Assistance to these employees can help them maintain their employment and improve their comfort and productivity.

However, participation in the Workplace Possibilities Program is not required for employees requesting FMLA or other state leaves, nor is it required to maintain ongoing leave entitlement. Therefore, an employee's decision of whether to participate in the Workplace Possibilities Program must be voluntary.

When contacting an employee who has requested leave or who is already on leave, the Workplace Possibilities Consultant must make clear to the employee that:

- participation in the Workplace Possibilities Program is not required for leave entitlement;
- participation is voluntary, and;
- employees who choose to participate in the Workplace Possibilities Program may cease participation at any time without impacting their FMLA or other state leave entitlement.

To make employees aware of Workplace Possibilities Program services, some employers may choose to send employees an informative letter or brochure indicating the types of services available. Additionally, the Workplace Possibilities Consultant may call employees for the purpose of providing information about the Workplace Possibilities Program and to identify those employees interested in assistance.

The initial call or message left for the employee by the Workplace Possibilities Consultant can include the following talking points:

- Introduce yourself and that you are the Workplace Possibilities Consultant who has been asked by the employer to provide assistance to employees interested in assistance, to help them work in as comfortable a manner as possible.
- Outline that these services can include providing accommodations, clarifying medical information, working with the employer to provide light-duty or temporary-duty jobs, and other similar case management services.
- Explain that participation in Workplace Possibilities Program is completely voluntary and not required for the employee to continue to be eligible for FMLA or other leave entitlements.

During this initial call, the Workplace Possibilities Consultant should limit the conversation to the above-referenced talking points. The Workplace Possibilities Consultant should not request any medical information from the employee, such as asking about the employee's diagnosis or treatment. If during the initial call the employee chooses to participate and offers confidential medical information, the Workplace Possibilities Consultant may receive this information for the purpose of determining whether the employee is a good candidate for assistance. The Workplace Possibilities Consultant should never follow-up on, or ask questions that may result in the disclosure of genetic information (including family medical history, genetic test results, etc.).

If the employee chooses to participate and/or volunteers any information about his/her medical condition, this information must be documented in the Access Case Management System. The Workplace Possibilities Consultant should also send a letter to the employee confirming the employee's decision to participate. The letter should again confirm that ongoing participation is voluntary and not required for any ongoing leave entitlement. Enclose the Authorization to Obtain Information form and ask that the employee sign the form so that we can obtain any information necessary to provide services.

If there are any questions, contact your Workplace Possibilities Program Coordinator.