

Take this letter to your Physician

A Letter To Physicians about The Family and Medical Leave Act

For the past few years, your patients have been asking you to complete "Physician Certification Forms" required under the federal Family and Medical Leave Act. No doubt these forms have increased the already onerous paperwork load in your practice.

Unfortunately, an employee has no protection under the FMLA without your help. The certification forms are the key to establishing a "serious health condition" under the law; without the form, the employee - your patient - can be denied leave. Regrettably, your patient may also lose his or her job.

Under the "no-fault" attendance policies found in many of today's workplaces, an absence for any reason will be counted as an occurrence. This means that a day off to visit the doctor or a three week hospital stay may count the same as taking the day off to go fishing. After a certain number of "occurrences," the employee may be given a written warning, suspended, or discharged. A person with a chronic health condition can rack up a number of such

occurrences just by visiting you, the physician.

The FMLA prohibits employers from counting such leave under no-fault policies: that's why it is so essential that you complete and return the form. Otherwise, your patient may be denied leave and may ultimately lose a job. We also hear in class how some workers avoid seeking medical treatment now because they fear they will be penalized under the attendance policy. Surely this strikes at the heart of the physician-patient relationship. Physicians have a huge responsibility under FMLA, yet no one has told them just what they need to do. If you or your medical association would like a short training session on FMLA, or a short article for your newsletter or bulletin, please call the Center for Labor Education and Research at the University of Alabama at Birmingham.

You can reach us at (205) 9348752; fax (205) 975-5087; or email jking@uab.campus.mci.net. We'll be happy to work with you.

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