

Justification for non-material change to FMLA form WH-380-E

The FMLA forms approved under OMB Control Number 1235-0003 were jointly submitted for the DOMA rule and the coinciding collection renewal and were approved by OMB to continue until 5/31/2018. Most of the forms were revised to include the following at the top of the page of each form:

DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE PATIENT

The form WH-380-E was returned to Wage and Hour to address a comment from the EEOC. When this was addressed, the form submitted did not include the above language. In order to maintain uniformity on the forms, this non-material change request is being submitted for the WH-380-E only. The other forms are correct.