

Changes to Form WH-381, Eligibility and Rights & Responsibilities Notice

sGeneral

1. Added color to WHD logo and section breaks
2. Added, “Provide to employee,” to heading
3. Reorganized order of information and instructions provided
4. Added line for employee’s name to every page
5. Added to different sections, who to contact if questions
6. Added checkboxes to confirm information provided
7. Aligned text and checkboxes
8. Added date formatting prompts
9. Bolded selected text for emphasis
10. Removed excess blank lines
11. Rephrasing for plain language, and changes to language to be consistent form to form

Introductory Information

12. Changed “Employer Representative” line to “Employer”
13. Added “and to bond with the newborn or newly placed child” to first reason for leave option
14. Added information clarifying definitions of spouse and *in loco parentis*

Section I - Notice of Eligibility

15. Added instruction to go to next section/s if “eligible” checked
16. Added fill-in option for number of months
17. Added fill-in option for number of hours of service
18. Added option for airline flight crew eligibility information
19. Removed reference to FMLA poster

Section II - Additional Information Needed

20. New section, information moved from Rights & Responsibilities section
21. Added to instructions “we will inform you within 5 business days”
22. Added option to check no additional information requested, and instruction to go to Section III if no additional information requested
23. Added options to check the type of certification requested
24. Added checkbox option to indicate form attached or not attached
25. Added that medical certification request by date must allow at least 15 calendar days
26. Added information about documenting family relationships

Section III - Notice of Rights and Responsibilities

27. Divided information sections into six subparts
28. Instructions modified to precede each subpart

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Section III Part A: FMLA Leave Entitlement

- 29. Added example of fixed leave year
- 30. Added explanation of rolling 12-month period
- 31. Divided key employee information into two parts
- 32. Added “FMLA leave cannot be denied for this reason” to key employee information

Section III Part B: Substitution of Paid Leave—When Paid leave is Used at the Same Time as FMLA Leave

- 33. Changed subsection title
- 34. Added explanation of concurrent use of leave
- 35. Added checkbox options to indicate concurrent use of paid leave
- 36. Added to “other” option, examples and line to provide description

Section III Part C: Maintain Health Benefits

- 37. Information in this section moved to follow rather than precede substitution of paid leave information

Section III Part D: Maintain Other Employee Benefits

- 38. Added examples

Section III Part E: Return-to-Work Requirements

- 39. Added information about an equivalent position

Section III Part F: Other Requirements While on Leave

- 40. Moved information on periodic reporting