

# Tips for Preventing Intermittent Leave Fraud

1. Require detailed information from the employee.
2. If the employee only calls in sick, treat that absence as non-FMLA leave.
3. Require daily status reports.
4. Debrief employees when returning to work.
5. Ensure that the employee's health-care provider knows the employee's job description.
6. Require thorough documentation on the medical certification.
7. If the documentation is not complete, treat the absence as non-FMLA leave.
8. Create and implement an in-house medical certification form.
9. Get second and third opinions on medical certification.
10. Require the employee to submit a written request.
11. Use company disciplinary procedures for failure to comply with company procedures.
12. Prohibit outside employment while on leave.
13. Prohibit any activities while on leave other than treatment and recovery.
14. Require the employee to notify the employer of his or her movements.
15. Require that the employee use an intent-to-return-to-work form.
16. Call and/or visit the employee.
17. If the employer suspects fraud, conduct surveillance of the employee.
18. If the employer can prove fraud, terminate the employee.
19. Require that the employee use paid time off until it is used up while on FMLA leave.
20. If the employer has rules about proof of need for other types of paid leave, require it for FMLA.
21. If the rules are consistent in terms of FMLA and non-FMLA leave, deny bonuses.