

## FAMILY/MEDICAL LEAVE – Billy Bob Case Study

The Department of Torturous Tools fabricates and distributes devices to aid law enforcement officials. Only the State can produce such tools due to regulations and unique expertise in medieval replications. Products include racks, Chinese handcuffs, and water drippers (with automated drip regulators).

Billy Bob operates the “Beastmeister” machine, which produces the drip regulator. As part of the new customer satisfaction initiative, Billy Bob must also test the drip rate on the regulators. After 10,000 drip tests in the first week, Billy Bob went to his doctor, Dr. Edge, complaining of severe headaches. He also tells his doctor that he cannot stand to be around water, including cleaning his dishes, doing laundry, or taking a shower. Dr. Edge determines that Billy Bob is suffering from migraines brought on by the stress of "aqua-shower phobia". Dr. Edge signs the following note:

Dear Appointing Authority:

Billy Bob is suffering from severe migraines brought on by the stress of "aqua-shower phobia". It is my recommendation that he reduce his work schedule to a four-day workweek with no overtime. On the fifth day, Billy Bob will receive treatment, including electroshock therapy, sedatives, and sponge baths. Please contact me if needed.

Very truly yours,

Dr. O.N. Edge

The agency grants Billy Bob's request for leave. As he has no accrued leave, his time off is unpaid. **WORKER'S COMPENSATION OR SHORT-TERM DISABILITY DO NOT APPLY.** In the next fiscal year, the doctor provides the same note and another period of family/medical leave is begun. In the third year, Billy Bob brings in the following note:

Dear Appointing Authority:

Billy Bob can return to a regular schedule with no limitations. His phobia has been cured; however, he may continue to suffer periodic and unpredictable migraines. I have instructed Billy Bob on the early warning signs of migraines. When he suffers from these migraines, he should stay away from work. If already at work, you should allow him to go home and he should not operate the “Beastmeister” machine. Please feel free to contact me.

Very truly yours,

Dr. O.N. Edge

### Questions

1. Do Billy Bob's conditions qualify for family/medical leave?
2. Can the appointing authority question Dr. Edge's statement? If so, how? Can the appointing authority contact Dr. Edge since "permission" was given in his note?
3. Does Dr. Edge's first note satisfy the medical certification requirements of family/medical leave? If not, why?
4. How will Billy Bob's pay be treated?
5. Will Billy Bob use his entire 520 hours of family/medical leave if he takes one day perweek for the fiscal year? Is he entitled to more family/medical leave after the first fiscal year? Can he carry over whatever he has left into the next fiscal year?
6. Can the agency require medical certificates, in addition to the original note, during the time Billy Bob is taking one day perweek off?
7. Is the agency required to give Billy Bob family/medical leave for the periodic unpredictable migraines after he returns to work?