

Providing Notice to Employees on Leave: Implications of Ragsdale versus Wolverine Worldwide, Inc.

This issue of the AAOHN JOURNAL contains a Continuing Education Module on "Providing Notice to Employees on Leave: Implications of Ragsdale versus Wolverine Worldwide, Inc." 1.2 contact hours of continuing education credit will be awarded by AAOHN upon successful completion of the posttest and evaluation.

A certificate will be awarded and the scored test will be returned when the following requirements are met by the participant: (1) The completed answer sheet is received at AAOHN on or before October 31, 2004; (2) A score of 70% (7 correct answers) is achieved by the participant; (3) The answer sheet is accompanied by a \$10.00 processing fee. Expect up to 6 weeks for delivery of the certificate.

Upon completion of this lesson, the occupational health nurse will be able to:

1. Discuss the purpose, background and status of the Family and Medical Leave Act (FMLA).

2. Describe opportunities for occupational health nursing practice in association with the FMLA.

3. Discuss the implications of the recent Supreme Court decision: Ragsdale versus Wolverine Worldwide, Inc. for its effect on (a) employer notice and (b) occupational health nursing practice in relation to FMLA.

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Contact hour credits received for successful completion of the posttest and evaluation may be used for relicensure, certification, or re-certification.

Directions: Circle the letter of the best answer on the answer sheet provided. (Note: You may submit a photocopy for processing.)

1. Which of the following is an employee benefit of the Family Medical Leave Act (FMLA)?

- A. 20 weeks of job-protected unpaid leave each year.
- B. 12 weeks of job-protected paid leave each year.
- C. 16 weeks of unpaid leave to provide care for a spouse, child, or parent with a serious health condition.

- D. Employer paid share of health insurance coverage in a group health plan during the leave.

2. The occupational health nurse advises management that a serious health condition is defined as:

- A. An acute illness which requires medical care for at least 1 month.
- B. A chronic illness which requires ongoing medical care for at least 6 months.
- C. An illness or injury that involves inpatient care in a hospital, hospice, or residential care facility.
- D. An illness which requires ongoing home care.

3. The occupational health nurse counsels an employee that eligibility for FMLA leave requires:

- A. Working 1250 hours in the year before leave.
- B. Being employed for at least 6 months.
- C. Working for a covered employer with 50 or more employees.
- D. Working within 50 miles of the facility.

4. The results of a national survey (Cantor, 2001) reveal that most employees use FMLA leave to care for:

- A. An ill child.
- B. Their own health.
- C. An aged parent.
- D. An ill spouse.

5. Ragsdale filed suit against Wolverine Worldwide, Inc. claiming the company:

- A. Denied extension of her medical leave.
- B. Denied her request for return to work on a reduced hour schedule.
- C. Terminated her when she was unable to return to work.
- D. Did not notify her in writing about designating her leave as FMLA leave.

6. The Ragsdale Supreme Court decision was to dismiss Ragsdale's FMLA claim because:

- A. Wolverine hadn't decided the FMLA leave was concurrent with company leave.

- B. The penalty regulation would compensate Ragsdale.

- C. Ragsdale could not prove she had been harmed by Wolverine's failure to comply with FMLA regulations.

- D. It decided not to address the validity of the regulatory obligation.

7. The occupational health nurse counsels an employee taking FMLA leave that written notice must include all of the following except:

- A. Designating the leave as FMLA leave.
- B. The reason for the leave.
- C. The duration of the leave.
- D. The anticipated timing of the leave.

8. Which of the following scenarios most likely exemplifies harm to an employee who does not receive FMLA notice or designation? An employee:

- A. Requesting intermittent leave for chemotherapy treatments.
- B. Disabled under Americans with Disabilities Act who can perform his essential job functions with reasonable accommodation.
- C. Requesting reduced FMLA leave because of a myocardial infarction.
- D. Requesting FMLA leave for an ill child at home.

9. The occupational health nurse advises an employee that under FMLA, needing to care for a family member must include:

- A. Providing physical care to the family member.
- B. No other family members are available to provide the care.
- C. Caring for the family member at home.
- D. That being with the family member would be beneficial.

10. Under the FMLA, employees returning to work are entitled to reinstatement:

- A. To their former position.
- B. To their former salary.
- C. With similar responsibilities and privileges.
- D. To the same worksite.

ANSWER SHEET

Continuing Education Module

Providing Notice to Employees on Leave: Implications of Ragsdale versus Wolverine Worldwide, Inc.

November 2003

(Goal: To gain ideas and strategies to enhance personal and professional growth in occupational health nursing.)

Mark one answer only!

(You may submit a photocopy of the answer sheet for processing.)

- 1. A B C D
- 2. A B C D
- 3. A B C D
- 4. A B C D
- 5. A B C D

- 6. A B C D
- 7. A B C D
- 8. A B C D
- 9. A B C D
- 10. A B C D

EVALUATION (must be completed to obtain credit)

Please use the scale below to evaluate this continuing education module.

| | 4 - To a great extent | 3 - To some extent | 2 - To little extent | 1 - To no extent |
|---|-----------------------|--------------------|----------------------|------------------|
| 1. As a result of completing this module, I am able to: | | | | |
| A. Discuss the purpose, background and status of the Family and Medical Leave Act (FMLA). | 4 | 3 | 2 | 1 |
| B. Describe opportunities for occupational health nursing practice in association with the FMLA. | 4 | 3 | 2 | 1 |
| C. Discuss the implications of the recent Supreme Court decision: Ragsdale versus Wolverine Worldwide, Inc. for its effect on (a) employer notice and (b) occupational health nursing practice in relation to FMLA. | 4 | 3 | 2 | 1 |
| 2. The objectives were relevant to the overall goal of this independent study module. | 4 | 3 | 2 | 1 |
| 3. The teaching/learning resources were effective for the content. | 4 | 3 | 2 | 1 |
| 4. How much time (in minutes) was required to read this module and take the test? | 50 | 60 | 70 | 80 |

Please print or type: (this information will be used to prepare your certificate of completion for the module).
DEADLINE: OCTOBER 31, 2004. Allow up to 4 weeks for processing.

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