

To: The Boss
From: Kristie Luna
Date: February 13, 2006
Re: Legal Project

In March of 2002, a case went before the Supreme Court against Wolverine World Wide, Inc. Tracy Ragsdale, a former employee of the company had taken Wolverine to court over an issue of the Family and Medical Leave Act (FMLA). A year after she had began working at Wolverine, Ragsdale had been diagnosed with Hodgkin's disease. Her intensive treatment required surgery and months of radiation therapy. Wolverine had a leave plan in place that allowed employees to take seven months of leave without pay. Ragsdale first requested one month of leave, then at the end of each month after that, she would request an additional month. Ragsdale did this until she had reached the end of the seventh month.

During the time Ragsdale was on leave, Wolverine held her position open and even maintained her health benefits for her and paid the premiums for the first six months. At the end of the seven months, however, Ragsdale asked the company for yet another month of leave. The company denied her, since she has already used all seven of the months that their policy allowed. Ragsdale did not come back to work and thus Wolverine terminated her employment.

It was then that Ragsdale filed a suit against Wolverine, claiming that FLMA regulations state that if an employee takes medical leave "and the employer does not designate the leave as FMLA leave, the leave taken does not count against an employee's FMLA entitlement". FMLA allows employees to take 12 of leave in a given year, thus Ragsdale argued that she was owed another 12 weeks of leave since Wolverine had never designated the leave she took as part of the FMLA allotment. Ragsdale sought reinstatement with Wolverine and payback for the time, among other things.

Wolverine argued against this stating that they were still in compliance with the law because they had granted her 30 weeks of leave, which is more than twice what FMLA requires employers to grant. The court of appeals finally agreed with Wolverine, stating that the regulation was in conflict with the statute and invalid because it, in effect, required Wolverine to grant Ragsdale more than 12 weeks of FMLA compliant leave in a year. As long as a company's policy meets the FMLA acts requirement of at least 12 weeks leave, then any leave taken may be counted toward the FLMA requirements.

Many things can be learned from the case of Tracy Ragsdale v. Wolverine World Wide Inc. First of all, we can see the importance of making sure that the company is up to date on all new laws and regulations. Not only must we be aware of them, but also we must make sure that we are following them. If we are doing just that, we can avoid and help prevent many problems and possible lawsuits. We, as a company are responsible for our employees. We need to take care of them and help them to feel that we care about them and the job that they do for us. Allowing employees to take leave when they need it is just one way that we can ensure that we will have healthier, happier employees. When people are able to take the time off that they need to get well or take care of a family member or new baby, they will feel better and be able to devote more time and energy to their job when they return to work.

Employees also need to be informed as to what the labor laws are and what rights they have as an employee. It is the responsibility of the Human Resources Department to get this information is accessible to all of the company's employees. One idea is putting links to important laws and information on the company website on a page that is designated for the employees. Sending out newsletters and memos whenever there are changes or new laws will also help to make sure that everyone stays informed.

In Tracy Ragsdale's case, she was aware of her rights to take leave and the FMLA regulations. Wolverine did a good job making sure that information was available to her and allowed her to take the leave she was entitled to. The only thing they did not do was take the time to inform her that the leave she was taking under their policy would be counted toward the FMLA leave time that she was allowed under the law. If this information had been given Ragsdale as she began taking leave, this situation would never have had to go to court.

Cases such as this are important for all companies to look at as examples- some of things they should be doing, and some of things they need to be careful not to do. Issues that other companies have had to deal, if taken seriously, can be great guides for how companies can improve. This case, for example, can force us to look at how we are keeping our employees informed. Do they know what rights they have as an employee? Are they aware of all of the benefits they are able to receive in case they should want to use any specific one of them? Asking ourselves questions such as these and analyzing cases such as Ragsdale v. Wolverine can and should continually be used to improve the operations of our Human Resources Department.