

# Poison ivy not FMLA-protected leave

Scratch poison ivy from the list of “serious illnesses” that qualify under the Family and Medical Leave Act. The case: An Alabama factory worker requested leave to care for his sick daughter, but he also mentioned his case of poison ivy (apparently hoping to bolster his claim). The company fired the man, saying he didn’t give enough prior notice of the leave. The district court threw out his poison ivy claim but let the case go to trial. The court’s reasoning: His late FMLA request was due to unforeseen circumstance, which means he only has to give notice “as soon as practicable,” not within 30 days of the leave. (*Goodwin v. Rheem Manufacturing Co.*, No. 97-D-1377)