

CASE STUDY

Dates	Details
2/6/2001 - 2/5/2002	Worked part-time 11 months on, one month off
6/11/2002	Worked as a part-time temp employee
7/2/2002	Car accident - head-on collision (WC injury); Concussion #1; other injuries (punctured lung, fractured collarbone, broke great toe (left), talus bone fragments removed (right foot/below ankle). In hospital 17 days; multiple surgeries
7/2/2002 - 11/23/2003	Received workers compensation 66 2/3% pay.
9/2003	Additional surgery
5/11/2005	Workers Comp lawyer hired
8/2005 – 5/2006	ER IT dept. - Helpdesk Technician-temp full time
5/28/2010	Re-employed full time with Employer
2/27/2016	Head injury at home-Concussion #2
2/28/2016	Medical treatment at urgent care and ER sought
2/2/2016 - 5/22/2016	FMLA leave take
3/11/2016	FMLA paperwork filed
4/1/2016	Voluntary self-identification of disability form, accommodation request, documentation of a disability form and health care provider forms sent by ADA office to EE to complete
4/5/2016	Voluntary self-identification of disability form, accommodation request filled out and sent to ADA office
4/29/2016	FMLA paperwork submitted by EE for FLMA leave
5/19/2016	ADA paperwork (updated) - accommodation request
5/23/2016	Return to ER work - part-time reduced schedule
5/23/2016 - 7/8/2016	At the end of May EE returned to work and allowed by neurologist to stairstep hours returning to work. Vision was still impacted and struggling with fatigue as a result. Then supervisor allowed EE to sit at the xerox machine and copy files for initially 2 hours x 2 weeks, then 4 hours, x 2 weeks then 6 hours a day.
7/8/2016	Left current job with new job at same employer in different division to begin end of August 2016; maintained benefits/retirement between jobs

CASE STUDY

7/8/2016 - 8/28/2016	Left ER in order to have more time to recover (but still maintained benefits/retirement during this time)
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8/29/2016	EE began new job; Still suffering from concussion symptoms from #2. Still seeking treatment with the vision therapist/neuro-ophthalmologist
Fall 2016	Still being treated for visual therapy through at least Oct/Nov. 2016; doing home exercises for treatment at the time
10/14/2016	2nd opinion and confirmation that EE had a concussion in the 1st car wreck in 2002 (WC still open)
12/5/2016	EE sees neurocognitive psychologist
Fall 2017	Difficulties in job; EE frustrated with supervisor and lack of training for position; also supervisor made frequent changes and went in many different directions over the course of a project and often made last minute changes
1/30/2018	Colleague leaves team due to similar frustration with supervisor (not replaced)
1/22/2018	Mid year performance review; supervisor indicated that there were areas that needed improvement but also stated that despite there being lots of turnover in the office with colleague leaving, supervisor thought EE was doing well and was at that time the top performer on our team
2/12/2018	Car accident (#2) – EE rear-ended after work Concussion #3
2/14/2018	On 2/14, started feeling nauseated and having trouble concentrating mid-morning; ultimately diagnosed with another concussion due to car accident; out of work
2/23/2018	FMLA paperwork filed; applied for FMLA - out of the office full-time; attended multiple medical appointments intermittently during this time period

2/27/2018	FMLA medical certification filed
4/5/2018	Return to work 4 hrs. a day
4/5/18 - 6/5/2018	FMLA - work 4 hours a day including breaks; continuing medical care by neurologist, visual therapist, ophthalmologist, vestibular therapist;
4/2018 - 7/2018	Issues arise with supervisor related to EEs absence from office and EEs request for help which she believed to be unmet by supervisor; colleague who left still not replaced; for example, EE states it took a week to go through the emails in her inbox from her FMLA absence
6/1/2018	Email sent to FMLA and ADA HR contacts latest note from physician regarding excused

CASE STUDY

	from work for concussion appointments
6/6/2018	Return to work full-time with intermittent FMLA appts.
6/8/2018	End-of-Year Review with supervisor (nothing in writing; just oral discussion) who informs EE that she is not meeting his expectations for the job, even though he acknowledges that EE is working hard; supervisor suggests that job is not the “best fit” for EE and that the job is not going to change.
6/25/2018	EE has appt with neurocognitive psychologist who determines that EE has some ADHD tendencies that she believes have developed as a result of the concussion. Recommends an ADHD cognitive coach.
6/26/2018	ADA meeting - Accommodation Policy and Process with Director of ADA Office; First time meeting him face-to- face; first recognition by ER that EE is also on WC.

7/31/2018	Supervisor asks EE to meet around 12pm, knowing EE is leaving the office on vacation for 2 weeks at 1: 30pm. Supervisor gives EE a written end of the year performance review which says that she is not meeting expectations, despite the fact that EE had met her financial goals for the year. EE pushed back and supervisor indicated that he would make revisions to the document based on the meeting and return it to EE for her signature. He indicated it needed to be signed that day, even though he knew EE was headed to the airport at 1:30. Supervisor sent email indicating it was ready to be signed at 2:24pm, after EE had already left for airport.
8/17/2018	Ergo assessment - ADA office set up; Ergo assessment - reviews office set up and later provides a follow-up report with suggestions for modifying office desk/chair set-up to reduce fatigue, other symptoms
8/23/2018	ADA office brings in a professional organizer at EEs request to see if this will help with some of the symptoms that EE is experiencing. Organizer also had contact with supervisor at some point.
9/11/2018	EE met with professional organizer to review the results and plan developed.
12/14/2018	PIP with HR meeting; PIP = 60 days, which would end on Feb. 13th - day after the FMLA from the accident would end (Feb. 12 - day of accident one year prior)
Jan. 2018	Mostly weekly meetings with supervisor to check- in
1/30/2019	Neurologist recommends 6 sessions of speech therapy

CASE STUDY

<p>2/6/2019</p>	<p>EE and supervisor have extended conversations about a work issue; supervisor expresses frustration; EE is flustered. Supervisor feels like he's having to micro-manage. EE feels like one mistake was made, it was caught and solved so would not be problem going forward.</p>
<p>2/6/2019</p>	<p>EE and supervisor meet to discuss mid-year review part 2 which was cut short by EEs departure for vacation at the end of July, 2018. Meeting is cut short by discussions about other work issues. Meeting is also cut short by a 3:30pm announcement about Employer change in leadership. EEs hands supervisor the PIP rebuttal I as she's walking out the door because it appears that they are not going to have time to discuss. Supervisor follows up with an email after acknowledging that EE sent rebuttal after EE sends email confirming she gave it to him. Supervisor requests EE set up meeting to discuss rebuttal.</p>
<p>2/7/2019</p>	<p>Email to Supervisor to schedule meeting with Supervisor to meet on Mon. Feb. 11 to discuss PIP. This meeting was rejected by supervisor with a request to meet on Feb. 22.</p>
<p>2/8/2019</p>	<p>Speech therapist analysis; evaluation for cognitive and executive functioning issues</p>
<p>2/12/2019</p>	<p>After determination that there are cognitive and executive functioning issues, speech therapy exercises begin</p>
<p>2/13/2019</p>	<p>Email from Supervisor with a request that HR join the meeting between them on Feb. 22</p>
<p>2/13/2019</p>	<p>ADA updated paperwork submitted</p>
<p>2/20 - 21/19</p>	<p>Medical appts for FMLA</p>
<p>2/22/2019</p>	<p>Meeting with supervisor and HR; HR left the room several times looking for a pen. Supervisor opened a folder and informed EE that "this" was not working out and that her appointment was coming to an end. Supervisor explained that HR would work out the details with EE and left the room immediately. HR and EE discussed severance package and that it would be 2 months. EE explained that she had been with ER longer than that, so HR made inquiry and determined that EE was actually eligible for 90 days instead. Paperwork was revised. EE cleaned out office and HR gave EE ride to her car</p>