

COLUMBIA MEDICAL CENTER AND THE COCAINE ADDICTED PHARMACIST (A)

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Case Objectives and Use

The objectives of this case are to illustrate the complexities and ambiguities with which the Human Resource Management professional has to deal in relation to interpreting labor legislation such as FMLA, EEOC and ADA. Additionally the case serves to demonstrate that programs developed to assist employees in need may actually result in making it more difficult to terminate an employee, even when there is considered to be just cause. Lastly the case can be used elucidate the importance of good job analysis, job description and job specification when documenting an employee's performance in a particular job. This case is based extensively on *Tom Zenor v. El Paso Healthcare System, Limited*, doing business as Columbia Medical Center – East. No 98-50063. United States Court of Appeals for the Fifth Circuit. 176 F.3d 847.

Case Synopsis

Tom Zenor, a pharmacist for Columbia Medical Center, became addicted to cocaine. He checked himself into a rehabilitation center and, upon request, was placed on leave as allowed by the Family Medical Leave Act (FMLA). During his FMLA leave the company decided to terminate his employment upon the completion of his twelve week leave of absence. Columbia, in an attempt to be proactive, is considering any legal recourse Zenor might attempt. Columbia's Human Resources manager, Carmen Estrada, is preparing evidence to defend the company against a potential Americans with Disabilities Act (ADA) lawsuit. Her primary concern is that Zenor will claim that his cocaine addiction is a qualified disability under the ADA.

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