

LABOR RELATIONS



Mr. William H. Young
 Vice President
 National Association of Letter
 Carriers, AFL-CIO
 100 Indiana Avenue, NW
 Washington, DC 20001-2197

RECEIVED

MAY 18 1998

**CONTRACT ADMINISTRATION UNIT
 N.A.L.C. WASHINGTON, D.C.**

RE: C94~~4~~-4C-C 96031384
 STEPHENSON, S.
 LIMA OH 45802-9998

Dear Mr. Young:

Recently, our representatives met in a pre-arbitration discussion of the above-referenced case.

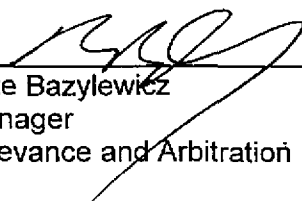
The issue in this grievance dealt with local management's determination that the employee's condition on December 13, 1995 did not satisfy the definition of a serious health condition under the Family Medical Leave Act.

The parties do not dispute the fact that there is no "laundry list" of serious health conditions. Rather, the circumstances determine whether a condition is serious, not the diagnosis. Therefore, every request for FMLA leave must be considered on a case-by-case basis, applying the definitions to the information provided by the employee and the employee's health care provider.

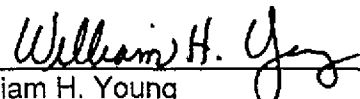
In the instant case, the information on the grievant's WH-380 appeared to be complete and the supervisor believed that the three day absence did not qualify for FMLA coverage. However, since that initial documentation, the grievant has disclosed additional information which suggests that his illness may have been the result of a chronic condition. Since it is arguable that the supervisor should have considered this supplemental documentation, the parties agree that the grievant's absence will be treated as though it were an absence protected under the FMLA.

Please sign and return the enclosed copy of this decision as your acknowledgment of agreement to settle this case and remove the case from national arbitration.

Sincerely,



 Pete Bazylewicz
 Manager
 Grievance and Arbitration



 William H. Young
 Vice President
 National Association of Letter
 Carriers, AFL-CIO

DATE: 5/21/98