

May 21st, 2018



ILLINOIS CHAMBER  
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## UPCOMING SEMINARS



EMPLOYMENT LAW  
WORKERS' COMPENSATION  
OSHA UPDATES

SUPERVISOR TRAINING  
BUSINESS LAW  
AND MUCH MORE



[Full Calendar](#) | [Website](#) | [Contact](#)

## Can Employees Voluntarily Work During FMLA Leave?

Contributed By: Allison P. Sues of SmithAmundsen

Last month, the United States Court of Appeals for the Fifth Circuit issued an opinion that provides a helpful reminder about the extent to which an employer may ask an employee to work during a leave taken under the Family Medical Leave Act (FMLA). In *D'Onofrio v. Vacation Publications, Inc.*, a sales representative requested FMLA leave to care for her husband, who had suffered a major back injury. Her employer gave her two options – she could either go on unpaid leave or she could log on remotely a few times per week during her leave in order to service her existing accounts and keep her commissions. The sales representative opted to continue servicing her accounts during her leave. Later, the sales representative sued her employer and alleged, among other claims, that her employer denied her entitlements under the FMLA by requesting that she work during her leave.

The court quickly dismissed this claim because the sales representative had voluntarily agreed to the work. The employer had not coerced this work and had not

conditioned the sales representative's continued employment on completing the work during her leave. The court stated that "[g]iving employees the option to work while on leave does not constitute an interference with FMLA rights so long as working while on leave is not a condition of employment."

[Read More >>>](#)

## Featured Event:

### Mock WC Trial



### Mock Workers' Compensation Trial

Thursday, June 21st | 9:00am - 12:00pm  
Western DuPage Chamber of Commerce, 306 Main St., West Chicago, IL

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Join Inman & Fitzgibbon attorneys as they conduct a mock trial for an Illinois worker's compensation case.

We will show how to present a strong defense by highlighting the burden of proof, the use of lay and expert witnesses, admission of exhibits, and other evidentiary rules at trial.

Attendees will observe the role of credibility in testimony, documentation and medical records.

From the pre-trial to closure of proofs at the end of the case, we will demonstrate how every aspect of a worker's compensation hearing occurs.

We'll see you in Court!

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[Register Here >>>](#)



*Register now to save \$25.00 off the rate from now until June 11th!*

## Upcoming Events:

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**June 7 - Managing HR Risks in the Temporary Staffing Industry**  
*Glen Ellyn, IL*

[Learn More](#)

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**June 14 - Deciphering Prevailing Wage**  
*Oak Brook, IL*

[Learn More](#)

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**June 20 - Economic Summit**  
*Des Plaines, IL*

[Learn More](#)

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**July 10- FMLA, ADA, Military and Other Leave Issues:  
Interactive Workshop (2018 Updated Manual Included)**  
*Naperville, IL*

[Learn More](#)

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**July 18 - Wage and Hour Workshop**  
*Glen Ellyn, IL*

[Learn More](#)

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**July 19 - HR Round Table**  
*Glen Ellyn, IL*

[Learn More](#)

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**July 24 - Cybersecurity Conference**  
*Chicago, IL*

[Learn More](#)

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**July 26- How to Properly Conduct Workplace Investigations**  
*Naperville, IL*

[Learn More](#)

**In case you missed it...**

Michael Wong and Charles DuShane had a highly interactive day at our Guns and Drugs in the Workplace seminar. Attendees asked so many questions that even the presenters had never come across.

Thank you to all who attended and to our presenters!



## Contact Information:



**For any questions on events or assistance registering please contact:**

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