**CASE STUDY #2: LEAVE OF ABSENCE & PRIVACY ISSUES**

Richard works as an administrative assistant in the payroll office of a large company. Richard's performance has always been exemplary, and Brenda, his supervisor, has been discussing with Richard her interest in promoting him to Payroll Associate. He anticipates that he will receive the promotion after his next performance review, scheduled for October.

Over the summer, Richard is diagnosed with PCP, a type of pneumonia, and remains hospitalized for ten days. When Richard gets home from the hospital, he calls Brenda and tells her that he is HIV+ and will be missing a few weeks of work, on doctor's orders. Because Richard will miss almost seven weeks of work, he has to go on short-term disability. His doctor indicates his HIV+ diagnosis on the disability application, which is then forwarded to the personnel office of Richard's company.

During his convalescence, Richard keeps in touch with Annie, a recently hired administrative assistant with whom he has become very friendly. Since Annie is handling many of Richard's job duties while he is out, she sometimes calls him to ask questions about work. During one of their phone conversations, Annie tells Richard that Brenda has told her that she doesn't want to "put any more effort" into training Richard because "he's going to die soon anyway."

When Richard returns to work after Labor Day, he finds his desk pushed into a corner of the office near all of the file cabinets. His coworkers' desks remain in their usual places, in the center of the office. Richard reports to Brenda's office, and asks why his desk has been moved. Brenda closes her door and tells Richard that because he is destined to get sick again, she will no longer be able to rely on him to do time-sensitive work. In fact, she has given some of his job duties to Annie and expects Richard to train Annie in all aspects of his job.