

## At Work: Unique background a plus in any job market

by Lindsey Novak

**Q:** My friend from Europe has a bachelor's degree in business and a second degree, which is in international relations from a school in Vienna. She also speaks seven languages. She moved from Europe to Arizona and is having trouble finding a job. She wants to know how to tell a reputable headhunter from a bad one. She's attended good European schools but has no work experience yet. She's thought about working on the business side of medicine. Where should she start?

**A:** First, tell her to never use anyone who asks for a fee to find her a job. Reputable headhunters are paid by companies looking for specialized talent, but those headhunters usually place experienced employees. She is, though, likely to fall into a unique category because of her multiple degrees from Austrian schools and her fluency in seven languages. Headhunters may be ecstatic to land her as a client. On her own, she can contact the highly reputable Mayo Clinic in Arizona, but she may not want to limit her areas of practice, especially because she has no work experience yet. With your friend's degrees in business and international relations, moving to New York or Washington, D.C., may prove more beneficial. Even in this tightened economy, she certainly should stand out from the crowd, given the degrees she has, her background and her language abilities.

### Layoff During FMLA Leave Legal When Downsizing Work Force

**Q:** I was out on a Family and Medical Leave Act leave to have a scheduled surgery. The day after my surgery, my boss called me to tell me I no longer had a job because my job was cut. Can I be let go during an FMLA leave?

**A:** The Family and Medical Leave Act applies to employers with 50 or more employees and to employees who have worked for more than one year and 1,250 hours in the previous year. FMLA gives an employee up to 12 weeks of unpaid leave for serious health conditions, among other qualifying reasons, according to Denise Wheeler, an employment lawyer at Fowler White Boggs' Fort Myers, Fla., office. If there were a reduction in a company's work force and the employee on an FMLA leave would lose his job regardless, then the employee would have no recourse. John Robinson, the employment law practice group leader at Fowler White Boggs' Tampa, Fla., office, explains that a medical leave does not mean an employee fares better or worse than other employees in a layoff. "FMLA is not a job guarantee," he says. The "employer must reinstate (the employee) after the leave if the job still exists." Robinson says that an employee may have a possible claim if the employee was laid off because of the FMLA leave, but it is "tough to prove FMLA retaliation if there is a group layoff" or shutdown. He says that even if a leave is approved, it is not a career enhancer. Robinson reminds us: "Wally (Pipp) told the manager of the New York Yankees he did not feel like playing one day. Lou Gehrig replaced him for good" and went on to the Baseball Hall of Fame."

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