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On October 30, 2013 the case of Ostrowski v. Con-way Freight was held in order to resolve an issue of firing an employee for relapsing into alcoholism. Ostrowski was employed with Con-way Freight as a driver sales representative, being that this is a transportation company. It started when Ostrowski took a leave of absence under FMLA in order to check into a rehabilitation center; in which Con-way freight did not penalize him for. Upon his arrival to work Ostrowski signed an agreement that he would no longer consume alcohol at the work, nor outside of the workplace.

Only one month after returning to work, Ostrowski checked himself back into an alcohol abuse treatment center, it was then two weeks later that Con-way Freight Inc. dismissed Ostrowski. Con-way explains that it is not violating any ADA regulations because their former employee failed to abide by the RWA contract he had signed upon coming back to work. They also explained people who suffer from alcoholism are not restricted to work there, however it becomes an issue when alcohol is being consumed while on the job.

Ostrowski never brought any evidence to the table that showed Con-way only fired him because of his protected leave. The RWA that Ostrowski signed did not interfere with his FMLA, but it was required by Con-way because of the strict policies from the Department of Transportation.

<http://www.shrm.org/legalissues/federalresources/pages/firing-alcoholic-employee-relapse-ada.aspx>