

**Examinations During
Employment**

The Superintendent or designee may require an employee to undergo a medical examination if information received from the employee, the employee's supervisor, or other sources indicates the employee has a physical or mental impairment that:

1. Interferes with the employee's ability to perform essential job functions; or
2. Poses a direct threat to the health or safety of the employee or others. A communicable or other infectious disease may constitute a direct threat.

The District may designate the physician to perform the examination. If the District designates the physician, the District shall pay the cost of the examination. The District may place the employee on paid administrative leave while awaiting results of the examination and evaluating the results.

Based on the results of the examination, the Superintendent or designee shall determine whether the employee has an impairment. If so, the Superintendent or designee shall determine whether the impairment interferes with the employee's ability to perform essential job functions or poses a direct threat. If not, the employee shall be returned to his or her job position.

If the impairment does interfere with the employee's ability to perform essential job functions or poses a direct threat, the Superintendent or designee shall determine whether the employee has a disability and, if so, whether the disability requires reasonable accommodation, including the use of available leave. The granting of additional unpaid leave may be a reasonable accommodation in some circumstances. If the employee does not have a disability, the Superintendent or designee shall evaluate the employee's eligibility for leave. [See DEC(LOCAL)]

[See DAA for information on disabilities and reasonable accommodation]

**Placement on
Temporary Disability**

At Employee's
Request

The Superintendent or designee shall have authority to place an eligible employee on temporary disability leave at the employee's request, as appropriate, when the employee's condition interferes with the performance of regular duties.

By Board Authority

Based on the Superintendent's recommendation that an eligible employee be involuntarily placed on temporary disability leave, the Board shall place an employee on temporary disability leave if the Board determines, in consultation with the physician who per-

formed the medical examination, that the employee's condition interferes with the performance of regular duties. [For employees who are eligible for temporary disability leave, see DEC(LOCAL)]

In accordance with DGBA, an employee may file a complaint disputing placement on temporary disability leave. As part of the complaint process, the employee may present testimony or other relevant information to the Board regarding the employee's fitness to perform regular duties.

Other Requirements

Employees with communicable diseases shall follow recommendations of public health officials regarding contact with students and other employees. Food service workers shall comply with health requirements established by city, county, and state health authorities. Bus drivers shall comply with legal requirements. [See DBA]

Communicable
Diseases

Communicable diseases include acquired immune deficiency syndrome; amebiasis; anthrax; botulism; brucellosis; campylobacteriosis; chicken pox; Chlamydia trachomatis infection; cholera; coccidioidomycosis; dengue; diphtheria; encephalitis; gonorrhea; Hansen's disease (leprosy) Hemophilus influenza infections; hepatitis, including viral type A, type B, type D (delta agent), type non-a/non-B, and unspecified types; histoplasmosis; HIV infection, including AIDS, AIDS-related complex (ARC) and a positive test for the antibody to the human immunodeficiency virus; influenza and flu-like illness; legionellosis; leptospirosis; listeria infection; Lyme disease; malaria; measles; meningitis, including bacterial, aseptic/viral, fungal and other types; meningococcal infections; mumps; pertussis; plague; poliomyelitis; paralytic; psittacosis; Q fever; rabies in man; Reyes syndrome; Rocky Mountain spotted fever; rubella; rubella congenital syndrome; salmonellosis; shigellosis; syphilis; tetanus; toxic shock syndrome; trichinosis; tuberculosis; tularemia; typhoid fever; typhus fever; endemic (murine) and epidemic; vibrio infections; viral hemorrhagic fever; and yellow fever.

Guarantee of Non-
Discrimination

The District shall not discriminate in employment against any staff member nor deny access to facilities or campus activities solely on the grounds that the staff member has a communicable disease. The District reserves the right to exclude a person with a communicable disease from facilities, programs, and functions if appropriate District personnel make a medically based determination that the staff member constitutes a direct threat to the health or safety of others.

Privacy

The District shall comply with all pertinent statutes and regulations that protect the privacy of staff members in the District who have a communicable disease.