

## **SCHOOL DISTRICT OF NEW LONDON**

### **ADMINISTRATIVE GUIDELINE 523 - EMPLOYEE HEALTH AND SAFETY (COMMUNICABLE DISEASES)**

- A. Each new employee shall provide evidence that he/she is free of communicable disease within 90 days of employment (SS 118.25 and SS 143.17).
- B. It is recommended that employees have physical examinations annually.
- C. Positive TB skin test reactors provide evidence that they are free of communicable disease at time of hire.
- D. Employees who are diagnosed as having a communicable disease that poses a significant risk of transmission to others in the school environment or renders them unable to adequately perform their job duties and responsibilities shall be excused from work. The length of time an employee is excused shall vary depending upon the individual case.
- E. The determination as to whether or under what circumstances an employee's communicable disease poses a significant health risk to others in the school environment or makes adequate performance impossible shall be made by the District Administrator, or designee, in consultation with local and/or state public health officials.
- F. Before making a determination that an employee should be excused from work, the District Administrator, or designee, shall inform the employee of the reasons for the contemplated action and shall consider any information the employee may choose to offer regarding his/her condition. The District Administrator, or designee, shall also consider whether a reasonable accommodation could eliminate the health risk to the employee or others and/or permit adequate performance.
- G. The District Administrator shall provide written notice to any employee excused from work pursuant to this procedure. Employees so excused may utilize any applicable alternative employment opportunities provided under existing Board policies and/or employee handbook provisions (e.g., sick leave, unpaid or paid leave of absence, reassignment). Employees shall not be guaranteed continued or renewed employment except to the extent provided under such policies or provisions.
- H. Appeals:
  - 1. Employees excused from work pursuant to this procedure may appeal the District Administrator's determination or action according to the grievance policy.

2. Employees excused from work pursuant to this procedure and not subject to a collective bargaining agreement may appeal the District Administrator's determination or action as follows:
  - a. Complaints must be made in writing, signed by the grievant, and submitted within five (5) school days of the disputed determination or action. The complaint must contain:
    - (1) A statement of facts;
    - (2) A statement of the relief requested; and
    - (3) Any other necessary medical information.
  - b. If the determination or action was made by someone other than the District Administrator, an appeal may be made to the District Administrator. The District Administrator will confer with the parties involved and render a written decision within ten (10) days of receipt of the complaint.
  - c. A grievant who remains unsatisfied with the District Administrator's decision may appeal to the Board. This appeal must be made in writing, signed by the grievant, and submitted to the Board President within five (5) days of the District Administrator's decision and must state the reasons for disagreement with that decision. The Board will afford the grievant a hearing, upon request, and will render a written decision within ten (10) days of receipt of the appeal or (if a hearing is held) conclusion of the hearing.
  - d. Appeals beyond the Board may be made in accordance with state and federal laws and regulations.
  - e. If the original determination or action was made by the District Administrator, an appeal may be made directly to the Board as outlined above.
  - f. Except to the extent prohibited by law or Board policies, an employee may be excused from work during the appeal.

ADOPTION DATE: May 8, 2000

REVISION DATE(S): February 12, 2018

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CROSS-REFERENCE: Policy 523 Employee Health and Safety

LEGAL REFERENCE: