

Policy 4119.41: Employees With Infectious Disease

Status: ADOPTED

Original Adopted Date: 06/01/1988 | **Last Revised Date:** 07/01/2012 | **Last Reviewed Date:** 07/01/2012

As part of its commitment to provide a safe and healthy work environment, the Governing Board recognizes the importance of protecting employees from possible infection due to contact with bloodborne pathogens, including, but not limited to, hepatitis B virus, hepatitis C virus, and human immunodeficiency virus (HIV). The Superintendent or designee shall establish a written exposure control plan in accordance with state and federal standards for dealing with potentially infectious materials in the workplace.

The exposure control plan shall be consistent with the district's injury and illness prevention program established pursuant to Labor Code 6401.7 and 8 CCR 3203. (8 CCR 5193)

The Superintendent or designee shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the district's exposure control plan, employees having occupational exposure shall receive training and be offered the hepatitis B vaccination. (8 CCR 5193; 29 CFR 1910.1030)

Any employee not identified by the Superintendent or designee as having occupational exposure may submit a request to the Superintendent or designee to be included in the training and hepatitis B vaccination program. The Superintendent or designee may deny a request when there is no reasonable anticipation of contact with any infectious material.

In the event that an employee has an exposure incident, the district shall implement follow-up procedures in accordance with the exposure control plan. All such incidents shall be evaluated to determine whether changes need to be made in district practices.

State	Description
17 CCR 2500-2511	Communicable disease reporting requirements
2 CCR 7293.5-7294.2	Discrimination based on disability
5 CCR 5502-5504	Medical certification
Civ. Code 56-56.37	<u>Confidentiality of medical information</u>
Ed. Code 44839	<u>Medical certificate; periodic medical examination</u>
Ed. Code 44839.5	<u>Requirements for employment of retirant</u>
Ed. Code 49406	<u>TB risk assessment</u>
Gov. Code 12900-12996	<u>Fair Employment and Housing Act</u>
H&S Code 120975-121023	<u>Mandated blood testing and confidentiality to protect public health</u>
Federal	Description
29 USC 794	Rehabilitation Act of 1973; Section 504
42 USC 12101-12213	Americans with Disabilities Act
Management Resources	Description
California Department of Public Health Publication	California HIV/AIDS Laws, 2009, January 2010
Court Decision	School Board of Nassau County, Florida v. Arline (1987) 408 U.S. 273
Court Decision	Chevron USA v. Echazabal (2002) 536 U.S. 73, 122 S.Ct. 2045
CSBA Publication	H1N1 Influenza (Swine Flu), Fact Sheet, April 2009

CSBA Publication
EEO Commission Publication

Website
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Pandemic Influenza, Fact Sheet, September 2007
Enforcement Guidance: Reasonable Accommodation and Undue
Hardship under the Americans with Disabilities Act, October
2002
CSBA District and County Office of Education Legal Services
U.S. Department of Health and Human Services
California School Nurses Organization
Centers for Disease Control and Prevention
CSBA
Equal Employment Opportunity Commission
California Department of Public Health

Code

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Description

Emergencies And Disaster Preparedness Plan
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Nondiscrimination In Employment
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Reasonable Accommodation
Health Examinations
Exposure Control Plan For Bloodborne Pathogens
Exposure Control Plan For Bloodborne Pathogens
Exposure Control Plan For Bloodborne Pathogens
Universal Precautions
Universal Precautions
Staff Development
Employee Safety
Employee Safety
Personal Illness/Injury Leave
Health Examinations
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Staff Development
Employee Safety
Employee Safety
Personal Illness/Injury Leave
Exclusions From Attendance
Absences And Excuses
Absences And Excuses
Chronic Absence And Truancy
Chronic Absence And Truancy
Infectious Diseases
Infectious Diseases
Immunizations
Immunizations
School Health Services
School Health Services