

Procedure Title: Life Threatening and/or Communicable Diseases
Procedure Number: 03-2003-0015
Board Policy Reference: IV.B. Human Resources Direction
NWCCU Standard:

Accountable Administrator: President
Position responsible for updating: Chief Human Resources Officer
Original Date: May 1988
Date Approved by Cabinet: 08-01-06
Authorizing Signature: *Signed original on file*
Dated: 08-03-06
Date Posted on Web: 07-09
Revised: 07-09
Reviewed: 07-13

Purpose/Principle/Definitions:

Employees with life-threatening illnesses, including, but not limited to cancer, heart disease, and AIDS, may wish to continue to engage in as many of their normal pursuits as their condition allows, including work. As long as these employees are able to meet acceptable performance standards, and medical evidence indicates that their conditions are not a threat to themselves, or others, the College should be sensitive to their conditions, and ensure that they are treated the same as any other employees. BMCC, and its agents, will not discriminate against employees with this type, or any other type, of disability, in accordance with EEOC, ADA, and other applicable laws.

Procedure

- 1) It shall be the responsibility of the employee's immediate supervisor to determine if acceptable job performance standards are being met. Reasonable adaptation shall be made in the work environment in order to assist the employee.
- 2) It is the employee's responsibility to notify the College if a situation may pose a communicable disease risk to other employees or students. In cases where employees are reported by other agencies to have a communicable disease, the College may require the employee to undergo a medical examination to determine the level of continued employability.
- 3) It shall be the responsibility of the College to determine if the employee poses a health risk to others in the work environment, and take appropriate action. An ad hoc committee shall evaluate the medical and psychological condition of the employee and recommend reasonable accommodations in order that the employee may continue in employment of the College, so long as they are physically able to do so. The committee shall include:

The employee; the employee's representative (if so desired); the employee's personal physician; the employee's immediate supervisor; a representative of the State Health Division; the College's legal counsel; the AVP of Human Resources; and the College President.

When medical conditions exist which impair the employee's health and ability to perform safely and effectively, the employee is required to disclose any pertinent medical information to his/her supervisor and/or the AVP of Human Resources, and will be treated in the same manner as employees who suffer other serious illnesses. This means, for example, that employees may be granted sick leave, or other benefits as outlined in the Collective Bargaining Agreements, and employment contracts. If conditions exist that pose a direct health threat to others in the work setting, a change in work assignment may be required.

- 4) Medical information shall be treated in a confidential manner, and neither it, nor the employee's name, shall be released to the press, nor shared with persons without a clearly documented need to know. Public health reporting requirements and ADA/EEO and other legal limits on accessibility of medical information will be strictly observed. Cases of AIDS meeting the criteria for the surveillance definition of the Centers for Disease Control must be reported to the local public health authorities.
- 5) In all situations where fellow employees, or students, are concerned about working with an employee with a life threatening illness, appropriate educational programs shall be instituted for the concerned individual(s).