

## **Code No. 403.3 COMMUNICABLE DISEASES - EMPLOYEES**

Employees with a communicable disease will be allowed to perform their customary employment duties provided they are able to perform the essential functions of their position and their presence does not create a substantial risk of illness or transmission to students or other employees. The term "communicable disease" will mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by law.

Prevention and control of communicable diseases is included in the school district's bloodborne pathogens exposure control plan. The procedures will include scope and application, definitions, exposure control, methods of compliance, universal precautions, vaccination, post-exposure evaluation, follow-up, communication of hazards to employees and record keeping. This plan is reviewed annually by the superintendent and school nurse.

The health risk to immunodepressed employees shall be determined by their personal physician. The health risk to others in the school district environment from the presence of an employee with a communicable disease is determined on a case-by-case basis by the employee's personal physician, a physician chosen by the school district or public health officials.

An employee who is at work and who has a communicable disease which creates a substantial risk of harm to a student, coworkers, or others at the workplace will report the condition to the Superintendent any time the employee is aware that the disease actively creates such risk.

Health data of an employee is confidential and it will not be disclosed to third parties. Employee medical records are kept in a file separate from their personal file.

It is the responsibility of the superintendent, in conjunction with the school nurse, to develop administrative regulations stating the procedures for dealing with employees with a communicable disease.

***NOTE: This policy is consistent with current health practices regarding communicable diseases. The bloodborne pathogen language in the second paragraph and accompanying regulation is in compliance with federal law on control of bloodborne pathogens.***

Legal Reference:

**School Board of Nassau County v. Arline**, 480 U.S. 273 (1987).

**29 U.S.C. §§ 794, 1910** (1994).

**42 U.S.C. §§ 12101 et seq.** (1994).

**45 C.F.R. Pt. 84.3** (2003).

**Iowa Code chs. 139; 141** (2003).

**641 I.A.C. 1.2-.7.**

Cross Reference:

**401.5** Employee Records

**403.1** Employee Physical Examinations

**507.3** Communicable Diseases - Students

**First Reading: July 18, 2018**

**Second Reading: August 20, 2018**