

MODESTO CITY SCHOOLS

Board Policy

BP 4113.4/4213.4/4313.4

ALL PERSONNEL

Temporary Modified/Light-Duty Assignment

The Governing Board recognizes that, when employees have temporarily disabling medical conditions, temporary modified or light-duty assignments can allow the District to continue to use their valuable knowledge, skills, and abilities while minimizing time away from work. Temporary modified/light-duty assignments may also serve to facilitate the employee's transition back to their regular duties or full-time work.

Any employee may request a modified or light-duty assignment when they have a temporary medical condition which prevents the performance of the essential functions of their current assignment or position. The Superintendent or designee shall determine, on a case-by-case basis, whether a suitable temporary position currently exists to accommodate the physical restrictions specified by the employee's medical provider.

An employee's initial assignment to a temporary modified or light-duty position shall be for a limited duration, not to exceed 30 days. At the end of the initial assignment, the employee may request that the Superintendent or designee extend the assignment. When requesting any such extension, the employee shall submit documentation from their medical provider verifying that the employee is still temporarily disabled and is not medically able to return to their regular assignment. Temporary assignments generally shall not exceed 90 days but may be extended at the discretion of the Superintendent or designee for an additional 90 days upon verification by the employee's medical provider that such an extension will allow the employee to return to unrestricted regular duties.

An employee who rejects a temporary modified/light-duty assignment may be subject to a loss of workers' compensation benefits in accordance with District's insurance policy.

ALL PERSONNEL

Temporary Modified/Light-Duty Assignment

Legal References:

EDUCATION CODE

44984 Required rules for industrial accident and illness leave

45192 Industrial accident and illness leave for classified employees

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act

12945.1-12945.2 California Family Rights Act

UNITED STATES CODE, TITLE 29

2601-2654 Family Care and Medical Leave Act

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:

COURT DECISION

Raine v. City of Burbank, (2006) 135 Cal. App. 4th 1215

WEBSITE

California Department of Fair Employment and Housing: <https://www.dfeh.ca.gov/>

U. S. Equal Employment Opportunity Commission: <https://www.eeoc.gov/>

Cross References (cf.):

0470 – COVID-19 Mitigation Plan

3530 – Risk Management/Insurance

4032 – Reasonable Accommodation

4157.1/4257.1/4357.1 – Work-Related Injuries

4161.1/4261.1/4361.1 – Personal Illness/Injury Leave (N/A)

4161.11/4261.11/4361.11 – Industrial Accident/Illness Leave (N/A)

4161.8/4261.8/4361.8 – Family Care and Medical Leave (N/A)

ADOPTED: May 15, 2023