

## **All Personnel**

BP 4113.4(a)

4213.4

### **TEMPORARY MODIFIED/LIGHT-DUTY ASSIGNMENT**

4313.4

The Board of Trustees 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 his/her regular duties or full-time work.

*(cf. 3530 - Risk Management/Insurance)*

*(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)*

*(cf. 4161.1/4361.1 - Industrial Accident/Illness Leave)*

*(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)*

*(cf. 4261.8 - Industrial Accident/Illness Leave)*

Any employee may request a modified or light-duty assignment when he/she has a temporary medical condition which prevents the performance of the essential functions of his/her 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.

*(cf. 4032 - Reasonable Accommodation)*

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 his/her medical provider verifying that the employee is still temporarily disabled and is not medically able to return to his/her 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.

*Legal Reference: (see next page)*

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## **TEMPORARY MODIFIED/LIGHT-DUTY ASSIGNMENT (continued)**

### *Legal Reference:*

#### 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*

#### COURT DECISIONS

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

### *Management Resources:*

#### WEB SITES

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

Equal Employment Opportunity Commission: <http://www.eeoc.gov>