

SUBJECT: **STAFF HEALTH AND SAFETY**

Supersedes: GBE; GBE-R
Effective: October 9, 2008
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Approved by: Detroit Board of Education

1.0 Policy

Compliance with State Requirements

In compliance with Michigan Department of Health regulations for all school districts, the Board of Education will require a current tuberculosis statement proving freedom from communicable tuberculosis as a condition of entering employment for all full and part-time personnel or day-to-day substitutes. Thereafter, the Board will require each employee to submit such a statement to the district medical office every three years.

Additional state health examination requirements will be enforced for bus drivers, food service personnel, and employees who work in state-licensed programs, such as early childhood education and vocational education.

Board Required Examinations and Medical Statements

Under its general authority, the Board may require medical examinations of employees or doctor's statements when such are determined to be needed for the welfare of pupils and the schools. Except as bargaining agreements specify otherwise, the following conditions apply:

1. All new employees will have an examination at a Board-designated medical facility.
2. An employee for return to work must present a statement from his or her personal physician; the return to work must also meet the approval of the Board's designated medical facility.
3. A leave of absence for medical reasons will require a physician's statement and approval of the Board's designated medical facility. Return from such leave will also require the approval of the Board's designated medical facility.
4. After requesting time off for illness maternity-related, an employee must have the approval of her own physician and the Board's designated medical facility to continue working. The approval of both is also required for return to work.

5. After any absence for surgery or fracture, heart or thyroid conditions, nervous disorders, or hospitalization, approval of the Board's designated medical facility will be required, as well as that of the individual's personal physician. The designated medical facility must also, after checking with the principal or division head, give approval of an employee to return to work with a condition requiring the use of a cane, cast, crutch or other physical support device. (Reasonable accommodations will be made for the employee.)
6. Whenever an employees' health is in question, the employee may be asked to undergo a medical examination by his own or her own physician and/or by the Board's designated medical facility.

Decisions Pertaining to Return to Work of Handicapped Employee

The following sets forth roles of the medical office and principal or division or unit head in determining whether an employee with a crutch, cane or wheelchair, or other handicapping condition may return to a school building and active employment.

1. Human Resources will make the decision regarding approval to return to work. In the process of making that decision, the Board medical facility will:
 - a. Review the medical data taken that day in the medical office, including the statement received from the treating physician.
 - b. When the illness absence involves a handicapping condition, such as use of a crutch, cane or wheelchair, the designated medical facility will meet with the employee for further examination.
 - c. The designated medical facility will seek a written statement of accommodation from the building administrator, principal, division or unit head if the employee seems otherwise able to return to work.
2. The statement of accommodation will show:
 - a. The administrator's awareness of the employee's specific handicapping condition and position classification.
 - b. Whether or not the administrator can make reasonable accommodations which will enable the employee to return to that position.
3. The principal, unit head, or other appropriate administrator will make the determination of whether or not he/she can accommodate the employee. However, the administrator is not asked to give medical approval, only a determination as to accommodation. This should be based on knowledge of the physical layout and condition of the specific building or work site and of the specific duties of the employee.

4. The statement of accommodation will be submitted to the Board's designated medical facility who will then approve or not approve the employee's return to work.

It is through the above procedures that the Detroit school system carries out its obligations to handicapped employees that are set forth in its "Assurance of Compliance with Section 504" (U.S. Rehabilitation Act of 1974).

In keeping with that compliance statement, principals and other administrators are obligated to make reasonable adjustments for handicapped employees. Principals and other administrators are responsible for determining what is reasonable.

Attachments to Policy 7.11: None

Legal References: MCLA § 380.11a
MCLA § 380.373(4)

Labor Contract References: Most, but not all, contracts have clauses covering medical examinations following absences for illness and prior to and/or after various types of extended leaves.