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To: The Board of Education
From: Doug Larson
Re: Policy Reading
Date: October 26, 2022

Policy and Legal Services will present one Second Reading during the next Board of Education meeting. A description of the policy under consideration is provided below.

Article IX.A.1.z. Employee Health and Safety, Immunizations, and Workplace Accidents

This policy is another consolidation of Human Resources policies in an attempt streamline and simplify board policies. This policy is intended to include basic health and safety obligations of all employees working for Granite School District. Since last board meeting, COVID 19 vaccination was added to the list of recommended vaccinations in the policy. This update comes from the best CDC guidance available, but the language is intentionally broad and flexible to allow for future updates. It should be emphasized that this recommendation is not a mandate for employees and is only intended to follow guidance from the CDC and state and county health departments.

Article IX.A.1.z. Employee Health and Safety, Immunization, and Workplace Accidents

A. Statement of Policy

The Granite School District Board of Education (Board) is committed to creating a safe and healthy work environment. The Board recognizes schools are potential high-risk areas for transmission of vaccine preventable diseases and workplace accidents. The Board also recognizes that employee absences due to sickness or injury causes disruption and often results in missed work and opportunities to provide education to students.

B. Medical Examinations and Fitness for Duty

1. Employees must be physically and mentally capable of performing the essential functions of their assignment with or without reasonable accommodations. Employees are required to disclose any medical restrictions that limit their ability to perform the essential functions of the assigned job to their supervisor or Human Resources (HR) and to request a meeting with the ADA Coordinator to discuss the provision of reasonable accommodations. Supervisors are required to notify HR of any employees with medical restrictions that limit their ability to perform the essential functions of their assignment.
2. Employees who are required to provide medical condition reports to maintain job requirements will do so in accordance with required reports.
 - a. Granite School District (District) may require health information or medical examinations at any time. The employee shall go to the clinic or physician designated by the Board, and the Board shall pay the cost of the examination.
 - b. Bus drivers are required to complete DOT health examinations at the District's contracted industrial and occupational health provider. The provider will submit results to the District. Bus drivers are not permitted to have their own personal doctor conduct their required DOT health examination.
 - c. The District will comply with all applicable state and federal regulations regarding physical examinations for employees who are assigned to work with hazardous materials and are in safety-sensitive positions.
3. The District reserves the right to require examinations, testing, and training of employees as mandated by federal and state rules, laws, and to ensure employees are capable of performing the essential job functions. Employees shall be required to respond or submit to medical inquiries or examinations, which are related and necessary, where there is evidence of job performance or safety issues related to

the essential functions of the position, or otherwise, when required or permitted by law.

C. Immunizations

1. The District recognizes the authority of the Utah Department of Health and the Salt Lake County Health Department to regulate immunization requirements and, when necessary, restrict infected individuals from schools and other District facilities. The Board is committed to working with these agencies to coordinate public health needs.
2. Pursuant to state statute and health department regulations, all employees are required to maintain a personal record of immunizations, exemption, or proof of immunity and shall be required to produce the same in the event of an outbreak of a vaccine preventable communicable or infectious disease. In particular, employees must be prepared to show record of immunization, exemption, or proof of immunity to a local health department representative, as required by county regulations, for the following:
 - a. Measles, Mumps, Rubella (MMR) – employees born during or after 1957 must provide documentation of two (2) doses of the MMR administered at least one month apart or proof of immunity.
 - b. Tetanus, Diphtheria, Pertussis (Tdap) – employees must provide documentation of one (1) dose of the Tdap.
 - c. Varicella (Chicken Pox) – employees must provide documentation of receiving two (2) doses of Varicella vaccine at least four (4) weeks apart, a physician diagnosis or personal recollection of Varicella disease, or proof of immunity.
3. Additionally, employees are recommended to receive and keep a record of the following vaccinations per CDC and/or state and county health department guidelines:
 - a. Hepatitis A – two (2) doses
 - b. Hepatitis B – three (3) doses
 - c. Influenza – annually
 - d. COVID 19
4. Employees who cannot produce a valid personal record of immunization, exemption, or proof of immunity for the diseases detailed in this subsection during an outbreak will be excluded from the school or workplace until authorized to return by the local health department. Under these circumstances, employees shall access the leave options normally available to them.

5. Employees are eligible for exemptions for medical, religious, or personal reasons according to Utah Code, §53G-9-303. Each exemption claimed must be accompanied by the appropriate authorized health department exemption form.
6. In the event of an outbreak, school/building administrators and other District administrators shall communicate with health department officials regarding schedules, activities, and other information to minimize disruption of the school operations.

D. Prevention of Disease Transmission

1. In consultation with public health and medical personnel, the administration shall develop routine procedures to follow in handling body fluids. These standard health and safety practices shall provide simple and effective precautions against transmission of diseases to persons exposed. No distinction shall be made between body fluids from individuals with a known disease or infection and from individuals without symptoms or with an undiagnosed disease.
2. Employees shall be trained annually according to Administrative Memorandum One Hundred, Procedures for Limiting Exposure to Bloodborne Pathogens.

E. Safety Standards

1. The District complies with standards for health, safety, and fire protection, including but not limited to, standards published by the Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), the National Institutes of Health (NIH), the American Conference of Governmental Industrial Hygienist, the National Fire Protection Association, the Uniform Building Code, the American National Standards Institute, and other recognized safety standard-making bodies.
2. Certain employee classifications require additional training and expertise related to such standards. Such requirements are included in job descriptions.

F. On-the-Job Accidents and Injuries

1. The District complies with state rules on worker's compensation.
 - a. Every work-related injury should be reported by the employee to the HR department or District's worker's compensation coordinator within 48 hours after the time of injury.

- b. All injuries must be referred to a licensed physician. Employees should report to the District's worker's compensation care clinic for treatment of the injury.
 - c. If the injury is life or limb threatening, contact 911.
2. When an employee is kept away from work by an on-the-job injury, worker's compensation benefits and sick leave benefits will be coordinated as follows:
- a. Except in cases of extended disability, worker's compensation will not provide benefits during the first three (3) calendar days following an on-the-job injury. If any of these three (3) days are contract working days, the employee may use accrued sick leave and receive full pay for these days. Classified and secretarial hourly employees who normally work four (4) or more hours per day will be paid their daily rate for the hours normally worked for any work days associated within the three (3) day waiting period.
 - b. Payments under worker's compensation, beginning with the fourth (4) day after the injury, may be somewhat less than the employee's regular salary. If the employee wishes to do so, the employee may use accrued sick leave to make up the difference between worker's compensation payments and regular salary. The time charged to the employee's sick leave account will be prorated to bring the total compensation up to the level of the employee's regular salary.
 - c. Recuperation from worker's compensation injuries must be in total compliance with the doctor's prescribed plan. Employees are not on vacation and should not do anything that could worsen or delay the healing process. Any variation from rest and limited activity must be prescribed by a doctor and have prior approval by HR or the District's worker's compensation coordinator before engaging in travel or the like.
 - d. Temporary Transitional Assignments (TTA) will be offered to those employees who are able to return to work in a modified assignment that takes into account the medical restrictions for the work-related injury. The employee will meet with HR or the District's worker's compensation coordinator to make arrangements for TTA. TTA will not exceed 90 calendar days.
 - e. If an employee is eligible for TTA and refuses the assignment, temporary disability compensation benefits will be denied. The employee may use available vacation, personal leave, compensatory time, or leave without pay. Sick leave is not an option. All leave options require supervisor approval.

HISTORY

Revised March 2022 – combined Articles IX.A.1.g.; IX.A.1.p.; IX.A.2.b.; IX.A.3.c.

REFERENCES

Americans with Disabilities Act (ADA), 42 U.S.C. §12101

Family Medical Leave Act (FMLA), 29 U.S.C. §2601 *et. seq.*

Health Insurance Portability and Accountability Act (HIPAA), 42 U.S.C. §§160 and 164

Utah Code Ann. §26A-1-114

Utah Code Ann. §53G-9-303

Memorandum Number One Hundred, Procedures for Limiting Exposure to Bloodborne Pathogens

Salt Lake County Health Department – Health Regulation #38, Certificate of School Employee

Immunization Requirements