

**CLOVIS UNIFIED
SCHOOL DISTRICT**

PERSONNEL

Certificated, Classified, Administrative and Supervisory

INDUSTRIAL ACCIDENT/ILLNESS LEAVE (WORKER'S COMPENSATION)

PURPOSE: To comply with the California State Workers' Compensation regulations and comply with coordinated program between Workers' Compensation and accumulated sick days.

A. Injuries Arising Out of or in the Course of Employment

General Provisions In Accordance With The Education Code

1. Allowable industrial accident or illness leave shall be for not less than 60 days for the same industrial accident or illness during which the schools of the District are required to be in session or when the employee would otherwise have been performing work for the District in any one fiscal year.
2. Allowable industrial accident or illness leave shall not be accumulated from year to year.
3. Industrial accident or illness leave shall commence on the first day of absence.
4. When an employee is absent from duties on account of an industrial accident or illness, the employee shall be paid, in the case of a certificated employee, such portion of the salary due for any month in which the absence occurs as, when added to the employee's temporary disability indemnity under Division 4.5 of the Labor Code, will result in payment to the employee of not more than the employee's full salary. In the case of a classified and/or certificated employee, payment for wages lost on any day shall not, when added to an award granted the employee under the worker's compensation laws of this State, exceed the normal wage for the day.
5. Industrial accident or illness leave shall be reduced by one day for each day of authorized absence regardless of a temporary disability indemnity award or a compensation award under worker's compensation.
6. When an industrial accident, or illness leave overlaps into the next fiscal year, the employee shall be entitled to only the amount of unused leave due him for the same illness or injury.

B. Extension of Sixty-Day Record

1. Certificated Employees. Upon termination of the industrial accident or illness leave, the employee shall be entitled to the benefits provided in the Education Code, and for this purpose, the employees absence shall be deemed to have commenced on the date of termination of the industrial accident or illness leave, provided that if the employee continued to receive

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temporary disability indemnity, will result in a payment to the employee of not more than the employee's full salary.

2. Classified Employees. The industrial accident or illness leave of absence is to be used in lieu of entitlement acquired under the Education Code. When entitlement to industrial accident or illness leave has been exhausted, entitlement to other sick leave will then be used, but if an employee is receiving worker's compensation, the employee shall be entitled to use only so much of the employee's accumulated or available sick leave, accumulated compensation time, vacation, or other available leave which, when added to the worker's compensation award, provide for a full day's salary or wage.
3. Any employee receiving benefits as a result of this section shall, during periods of injury or illness, remain within the State of California, unless the Superintendent or designee authorizes travel outside the State.

C. Payment During Industrial Accident Or Illness Leave Of Absence

1. During any paid industrial accident or illness leave of absence, the District shall issue the employee appropriate salary warrants for payment of the employee's salary and shall deduct normal retirement and other authorized contributions. Reduction of entitlement leave shall be made only in accordance with this section.
2. Industrial accident or illness leave of absence benefits are available to any employee of the District after date of employment.
3. Any employee receiving benefits as a result of this section shall, during periods of injury or illness, remain within the State of California, unless the Superintendent or designee authorizes travel outside the State.

D. Absence for Personal Reasons

Any employee who applies for and is granted leave for personal reasons other than those covered in the foregoing sections or in sections of the Education Code dealing with annual leave, sick leave, or bereavement leave, shall not receive any salary from the District covering the period of such leave.

E. Alternative "Light Duty" Job Assignments

The Board reserves the right to assign alternative "light duty" work to employees who are not able to complete their regular assignment due to a worker's compensation injury or illness. The alternate assignment may be at or below the responsibilities of the employee's current job classification, however the employee will be paid the full salary of his current classification. All "light duty" shall be administered through the Superintendent or the Associate Superintendent of Human Resources and Employee Relations or designee. "Light duty" assignments are temporary

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and intended to address short-term medical restrictions. Such assignments shall not be used as a means to establish new assignments or displace other employees.

E. Medical Treatment

An employee suffering from an industrial accident or illness who is required to receive medical treatment is required, to the extent possible, to schedule an appointment with a medical provider outside of the employee's normal workday. If an appointment cannot be scheduled outside of the employee's normal workday, an employee's leave to receive medical treatment may be deducted from any sick leave or vacation balance.

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EDUCATION CODE

44984 Required rules for industrial accident and illness leaves of absence

45192 Industrial accident and illness leaves for classified employees

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