

FULLERTON SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4061.11

Industrial Accident/Illness Leave – Page 1

Board Adopted: September 9, 2008

Absence due to industrial injury or illness will be compensated as Industrial Accident/Illness Leave when authorized by a physician pursuant to Labor Code 4600 and pursuant to District rules, policies and contract language regarding employee eligibility.

In each fiscal year, allowable leave for any single industrial accident or illness shall be for 60 working days.

Allowable leave shall not accumulate from year to year and shall not exceed 60 working days in any one fiscal year for the same accident. Benefit eligibility does not begin until the employee reports the injury.

When an employee is absent from his/her duties because of an industrial accident or illness:

1. Industrial accident or illness leave shall start on the first day of the District authorized absence.
2. Payment for wages lost on any day shall not, when added to an award granted the employee under the workers' compensation laws of this state, exceed the normal wage for the day.
3. Industrial accident or illness leave shall be reduced by one day for each day of authorized absence, regardless of a compensation award made under workers' compensation.
4. If an industrial accident or illness leave overlaps into the next fiscal year, the employee is entitled to only that amount remaining at the end of the fiscal year in which the injury or illness occurred, for the same illness or injury.

Upon expiration of allowable leave for an industrial accident or illness, the employee shall use personal illness and injury leave. If the employee continues to receive workers' compensation, he/she shall be entitled to use only as much of his/her accumulated or available sick leave, or other available leave as, when added to the employee's workers' compensation award, will provide for a full day's wage or salary.

Upon exhaustion of sick leave benefits, temporary disability benefit checks will be issued directly to the employee as authorized under the Labor Code.

When available paid leave has been exhausted, the employee shall be notified in writing and shall be offered an opportunity to request additional leave.

When all available leaves of absence, paid or unpaid, have been exhausted and the employee is not medically able to assume the duties of his/her position, the employee shall, if not placed in another position, be placed on a reemployment list for a period of 39 months.

FULLERTON SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4061.11

Industrial Accident/Illness Leave – Page 2

Board Adopted: September 9, 2008

If during this time the employee becomes medically able, he/she shall be employed in a vacant position in the class of his/her previous assignment over all other available candidates, except for a reemployment list established because of lack of work or lack of funds, in which case the employee shall be listed in accordance with appropriate seniority regulations. An employee who has been placed on a reemployment list and has been medically released for return to duty, but fails to accept an appropriate assignment, shall be dismissed.

Any employee receiving benefits under this leave shall, during periods of injury or illness, remain within the State of California unless the Board of Trustees authorizes travel outside the state.

During this leave, the employee may return to his/her position without suffering any loss of status or benefits. Periods of leave of absence, paid or unpaid, shall not be considered to be a break in service of the employee.

Legal Reference:	Education Code	
	45191	Leave of Absence for Illness or Injury
	45192	Industrial Accident and Illness Leaves for Classified Employees