

CARBON CAREER & TECHNICAL INSTITUTE

SECTION: PROFESSIONAL EMPLOYEES

TITLE: DISQUALIFICATION BY
REASON OF HEALTH

ADOPTED: December 16, 2004

REVISED:

<p>1. Purpose</p> <p>2. Authority</p> <p>3. Guidelines</p>	<p style="text-align: center;">415. DISQUALIFICATION BY REASON OF HEALTH</p> <p>The Joint Operating Committee desires to ensure that professional employees of the school shall be physically and mentally fit to perform their assigned duties. This shall be accomplished in a fashion consistent with law.</p> <p>A professional employee may be placed on sick leave or retired for physical or mental reasons which render that employee unable to perform assigned duties.</p> <p>In the case of a teacher or other professional employee who, in the opinion of the Administrative Director, is unfit to perform assigned duties by reason of physical or mental condition, the following procedure shall be followed:</p> <p>a. The Administrative Director shall present to the Joint Operating Committee reasons for questioning the condition of the employee.</p> <p>The employee may be transferred to an available position for which s/he is qualified and fit upon recommendation of the Administrative Director and accordance with Joint Operating Committee policy regarding transfers.</p> <p>b. Should the Joint Operating Committee determine that the reasons given constitute sufficient cause to order the professional employee to be examined, that employee shall be given written notice of the need for such examination. The employee shall be provided an opportunity to appear before the Joint Operating Committee, a committee thereof, or a hearing officer designated by the Joint Operating Committee within ten (10) days to explain why such an order should not be followed.</p> <p>c. Should a hearing ensue, the hearing shall be conducted in accordance with law if dismissal is indicated, or the following rules if a dismissal is not indicated:</p> <p>The hearing will be privately held.</p> <p>Staff members may present witnesses on their behalf.</p> <p>Witnesses will be called individually and excused after making their statement.</p>
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SC 1418	<p>Staff members may be represented by counsel or an individual of the employee's own choice.</p> <p>d. Should the Board, following a hearing, order an examination, said examination may be conducted by a physician(s) selected by the employee from a list provided by the Board.</p> <p>e. The examination shall be conducted within ten (10) days following the hearing.</p> <p>f. If as a result of such examination, the employee is found to be unfit to perform assigned duties, the employee shall be placed on mandatory sick leave for such period as may be indicated and with such compensation to which s/he is entitled until proof of recovery, satisfactory to the Board is furnished.</p> <p>g. Should an employee refuse to submit to examination following the exhaustion of proper appeals, the Board shall consider such refusal as cause for dismissal.</p>
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