

# PERS2.2 - Employment Requirements and Restrictions: Medical Examinations and Communicable Diseases

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## P - Personnel

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### EMPLOYEE ASSISTANCE

Employees may be required by the Superintendent, for purposes of employment or retention, to submit to such tests or examinations as a licensed physician deems appropriate.

When, in the opinion of the immediate supervisor and/or the Superintendent, the employee's physical or emotional condition warrants it, the District may require a complete examination, at District expense, by a licensed physician selected by the District.

The Superintendent shall have procedures in place for complying with the requirements of the Occupational Safety and Health Administration (OSHA), including:

- An exposure-control plan
- Methods of compliance
- Work-practice controls
- Postexposure evaluation and follow-up
- Administering vaccines to employees exposed to the Hepatitis B virus

All employees who, as a result of their employment, have had significant exposure to bloodborne pathogens (Hepatitis B/Human Immunodeficiency Virus) are required to report the details of the exposure in writing to the District and are required to follow postexposure evaluation and follow-up activities in accordance with Arizona and federal laws. An employee who chooses not to complete these reporting requirements may risk losing any claim to rights.

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### Legal References:

- A.R.S. 15-505
- A.R.S. 23-901
- A.R.S. 23-902
- A.R.S. 23-906
- A.R.S. 23-908
- A.R.S. 23-961
- A.R.S. 23-962

### WELLNESS PROGRAMS

#### Measles (Rubeola)

It shall be a condition of employment that, unless exempted, all employees, including substitutes, must present proof of immunity to rubeola (measles) prior to reporting for work.

Evidence of immunity to measles shall consist of:

- A. A record of immunization against measles with a live virus vaccine administered on or after the first birthday; or
- B. A statement, signed by a licensed physician or a state or local health officer, affirming serologic evidence

of immunity to measles.

C. Individuals born before January 1, 1957, shall be considered immune to measles.

### **German Measles (Rubella)**

Similarly, unless exempted, all employees, including substitutes, must present proof of immunity to rubella (German measles) prior to reporting for work.

Evidence of immunity to rubella shall consist of:

A. A record of immunization against rubella administered on or after the first birthday; or

B. A statement, signed by a licensed physician or a state or local health officer, affirming serologic evidence of immunity to rubella.

### **General Information**

Exempted employees include those with medical contraindications for receiving vaccines and those who refuse immunization for religious reasons.

Nonimmune employees, including those who use the exemption, shall, in the event of an outbreak of either disease, be placed on leave without pay. Alternatively, they may use accumulated sick leave during the period they are excluded from work due to the outbreak. If a staff member does not have any earned sick leave, a salary deduction of one (1) contract day will be made for each day of authorized leave used.

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### **Legal References**

A.R.S. 36-624

## **STAFF HEALTH AND SAFETY**

### **(Communicable Diseases and Fitness for Work Evaluations)**

It is the policy of the School District to take reasonable and lawful measures to protect students and staff members from the transmission of communicable diseases. The Superintendent is authorized to adopt such procedures as are necessary to implement this policy in a manner consistent with state and federal laws.

#### **Exclusion from School**

A staff member who has a communicable disease shall be excluded from school only if they present a direct threat to the health or safety of others in the school workplace. The outbreak control measures, and other directives of the Department of Health Services (DHS) and local health agencies shall be used in evaluating whether the staff member presents such a threat.

A staff member who has a chronic communicable disease, such as tuberculosis or HIV/AIDS, shall not be excluded unless a significant risk is presented to the health and safety of others, which cannot be eliminated by reasonable accommodation.

The school nurse or a person designated by the Superintendent will reassess any staff member excluded from school due to a communicable disease prior to their return to work. A written medical release from a physician may be required as a condition for the staff member's return to work.

For COVID-19 and/or other similar strains, the district shall follow CDC and local county guidance on safety procedures.

#### **Fitness for Work Evaluations**

The District will conduct **fitness-for-work** evaluations as outlined by applicable laws and regulations. These evaluations are required when:

1. **Job-related necessity:** The requirement for medical information or exams may be triggered by job performance issues, safety concerns, or when assessing the ability of individuals in physically demanding jobs.

2. **Reasonable accommodations:** Fitness-for-work evaluations will also be required when an employee requests reasonable accommodation for medical conditions.

Failure to satisfactorily complete a required physical examination or to provide requested medical information will be considered insubordination and may lead to disciplinary action, including termination.

The District will cover the costs of all mandatory examinations. However, all exams must be scheduled and requested through the human resources department. Results will be kept confidential in separate medical files, with access restricted to those with a legitimate need to know, as determined by human resources.

### **Reporting and Notification**

The District shall report diagnosed and suspected cases of communicable diseases to the local health agency by telephone, following the required notification timelines.

### **Confidentiality**

The District will make reasonable efforts to maintain the confidentiality of staff members' medical conditions, including those with communicable diseases or other conditions requiring fitness-for-work evaluations.

### **Food Service Workers**

The District will follow the U.S. Department of Health and Human Services guidelines regarding communicable diseases transmitted through food handling, ensuring that food service workers adhere to specific precautions required for their job.

### **HIV/AIDS**

Current medical evidence suggests that HIV is not transmitted through casual contact such as sneezing, coughing, shaking hands, hugging, or sharing toilets, food, or water. Universal precautions and procedures sufficient to protect staff members and students from transmission of HIV at school will be strictly followed.

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### **Legal References**

A.R.S.  
36-621  
36-624  
36-681  
36-685