

# Personnel Policy Bulletin

Number: 95-1

City of Lincoln

Date: June, 1995

Reference:	Title:
Supercedes Executive Order No. 34301, 92-1  LMC 2.76.510  Americans with Disabilities Act	CHRONIC INFECTIOUS DISEASE POLICY

## Definition:

Chronic infectious disease refers to persistent conditions which are communicable in nature and are able to produce serious illness in another person. The nature of the infectious disease and its means of transmission must be considered for each specific illness. Chronic infectious diseases include but are not limited to: HIV, AIDS, T.B. and Hepatitis B.

## Policy:

Employees with chronic infectious disease rarely present a health risk to other employees or clients in the work place. As an employer we recognize our responsibility for providing a safe working environment for employees.

This organization bases all procedures for management of chronic infectious diseases on the current recommendations of the Center for Disease Control.

Employees with infectious disease are subject to the same working conditions and performance requirements as any other employee. If an employee is unable to perform assigned duties, a Department Head request for medical evaluation may be required to determine fitness for duty. Such examination would be at the expense of the employer and performed on business time by a physician selected by the employer. Employees with infectious disease are entitled to personnel benefits and equal employment opportunity policies. The City/County Health Department will assess the risk of any Chronic Infectious Disease and authorize any appropriate vaccination if necessary.

## Employment Duties and Responsibilities

Employment decisions should be made on the basis of job related criteria. No employee or applicant who is qualified and able to perform their job responsibilities without impairing the safety of themselves or others will be denied employment, deprived of employment benefits, denied promotions, or be discharged as a result of a diagnosis of chronic infectious disease.

No Department, Board, or Agency shall require routine screening of employees or applicants for the antibody of the AIDS virus as a requirement of employment.

If their condition affects their ability to perform assigned duties, employees with chronic infectious disease are to be treated as any other disabled employee in accordance with Americans with Disabilities Act.

Any employee who is diagnosed as having a chronic infectious disease which may, according to Center for Disease Control recommendations, be transmitted in the work place shall inform his/her supervisor of such within a reasonable time after diagnosis. Such notification shall be accompanied by a written statement from a physician documenting the employee's ability or inability to perform assigned duties without transmitting that infectious disease. In this regard, one (1) calendar day or prior to the next scheduled work shift is considered to be reasonable time.

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When the Department Head or Personnel Director has a reasonable cause to believe that an employee is unable to perform duties or is endangering the health and safety of others because of infectious disease, he/she may request a medical exam or fitness for duty exam to clarify the employee's status and to guide future decisions regarding the employee. (Please also refer to LMC 2.76.510.) The results of such a medical exam will be held strictly confidential. To insure strict confidentiality such information should be limited to the Department Head, Personnel Director and employee with the exception that the City Attorney or immediate supervisor may be consulted should the situation warrant. All records of such exam must be kept separate from all other personnel files in the Personnel Department, according to the Americans with Disabilities Act regulations.

Employees with any chronic infectious disease are entitled to all employment benefits to the extent they are otherwise eligible subject to any disqualification by life and health insurance companies.

## Work Place Safety

All blood and body fluids should be considered infectious and persons coming in contact with these fluids should take recommended precautions.

Should employees express concern over personal safety and health because of a person with a chronic infectious disease in the work place, supervisory staff will contact the City-County Health Department for specific information and recommended precautions. This precautionary information should be shared or presented to all employees in the Section, Division and/or Department as appropriate.

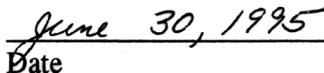
Employees who refuse to work because of their belief that such work puts them at risk of exposure to a chronic infectious disease, when reasonable risk cannot be demonstrated, should be advised that such action constitutes an unwarranted fear and should be instructed to proceed with their job responsibilities. The supervisor should also direct the employees to knowledgeable professionals who can discuss disease etiology, transmission, and employee concerns.

Employees must understand that refusal to work with a person with a chronic infectious disease is not a valid excuse from completing work responsibilities if/when no reasonable risk of disease transmission can be demonstrated. Refusal to complete work assignments may lead to disciplinary action.

Similarly all staff shall carry out their assigned duties so as to insure that all services are provided.



Ron Todd  
Personnel Administrator



Date