

**Policy 4313.4: Temporary Modified/Light-Duty Assignment**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes that, when employees have temporarily disabling medical conditions, temporary modified or light-duty assignments can allow the district to continue to use their valuable knowledge, skills, and abilities while minimizing time away from work. Temporary modified/light-duty assignments may also serve to facilitate the employee's transition back to his/her regular duties or full-time work.

Any employee may request a modified or light-duty assignment when he/she has a temporary medical condition which prevents the performance of the essential functions of his/her current assignment or position. The Superintendent or designee shall determine, on a case-by-case basis, whether a suitable temporary position currently exists to accommodate the physical restrictions specified by the employee's medical provider.

An employee's initial assignment to a temporary modified or light-duty position shall be for a limited duration, not to exceed 30 days. At the end of the initial assignment, the employee may request that the Superintendent or designee extend the assignment. When requesting any such extension, the employee shall submit documentation from his/her medical provider verifying that the employee is still temporarily disabled and is not medically able to return to his/her regular assignment. Temporary assignments generally shall not exceed 90 days, but may be extended at the discretion of the Superintendent or designee for an additional 90 days upon verification by the employee's medical provider that such an extension will allow the employee to return to unrestricted regular duties.

An employee who rejects a temporary modified/light-duty assignment may be subject to a loss of workers' compensation benefits in accordance with district's insurance policy.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

<b>Description</b>	<b>Description</b>
Ed. Code 44984	Required rules for industrial accident and illness leave
Ed. Code 45192	Industrial accident and illness leave for classified employees
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 12945.1-12945.2	California Family Rights Act

**Federal References**

<b>Description</b>	<b>Description</b>
29 USC 2601-2654	Family Care and Medical Leave Act
42 USC 12101-12213	Americans with Disabilities Act

**Management Resources References**

<b>Description</b>	<b>Description</b>
Court Decision	Raine v. City of Burbank, (2006) 135 Cal.App.4th 1215
Website	California Department of Fair Employment and Housing - <a href="https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==">https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==</a>
Website	U.S. Equal Employment Opportunity Commission - <a href="https://simbli.eboardsolutions.com/SU/vWZpgy5hWTz73t9BVEDPpA==">https://simbli.eboardsolutions.com/SU/vWZpgy5hWTz73t9BVEDPpA==</a>

**Notice References**

<b>Description</b>	<b>Description</b>
Unique Policy	This policy is unique to the district/COE and is not connected to an existing CSBA sample policy or included in regular quarterly updates from CSBA.

**Cross References**

<b>Description</b>	<b>Description</b>
3530	Risk Management/Insurance - <a href="https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==">https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==</a>

3530	Risk Management/Insurance - <a href="https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BVd6g==">https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BVd6g==</a>
4032	Reasonable Accommodation - <a href="https://simbli.eboardsolutions.com/SU/xCU2Q3bo4lrdA5Kslsh5iqGslshA==">https://simbli.eboardsolutions.com/SU/xCU2Q3bo4lrdA5Kslsh5iqGslshA==</a>
4161.1	Personal Illness/Injury Leave - <a href="https://simbli.eboardsolutions.com/SU/pBT8qcBchpd9Nretl5tpDQ==">https://simbli.eboardsolutions.com/SU/pBT8qcBchpd9Nretl5tpDQ==</a>
4161.11	Industrial Accident/Illness Leave - <a href="https://simbli.eboardsolutions.com/SU/Z0plusudejslshsmM4HPD2Djivlg==">https://simbli.eboardsolutions.com/SU/Z0plusudejslshsmM4HPD2Djivlg==</a>
4161.8	Family Care And Medical Leave - <a href="https://simbli.eboardsolutions.com/SU/dkzM3sFaSMA9NytdslshHt2slshw==">https://simbli.eboardsolutions.com/SU/dkzM3sFaSMA9NytdslshHt2slshw==</a>
4261.1	Personal Illness/Injury Leave - <a href="https://simbli.eboardsolutions.com/SU/NbmFlv1J1eoV9plusRT1mhpfw==">https://simbli.eboardsolutions.com/SU/NbmFlv1J1eoV9plusRT1mhpfw==</a>
4261.11	Industrial Accident/Illness Leave - <a href="https://simbli.eboardsolutions.com/SU/4V3v5daPNAoVUMjjGN825w==">https://simbli.eboardsolutions.com/SU/4V3v5daPNAoVUMjjGN825w==</a>
4261.8	Family Care And Medical Leave - <a href="https://simbli.eboardsolutions.com/SU/RxAOPGwtmmyMLo5slshskLOtA==">https://simbli.eboardsolutions.com/SU/RxAOPGwtmmyMLo5slshskLOtA==</a>
4361.1	Personal Illness/Injury Leave - <a href="https://simbli.eboardsolutions.com/SU/et11turBC71j4hKK2A3r6A==">https://simbli.eboardsolutions.com/SU/et11turBC71j4hKK2A3r6A==</a>
4361.11	Industrial Accident/Illness Leave - <a href="https://simbli.eboardsolutions.com/SU/3cLqPb0ZXlIMnwJFplussftdg==">https://simbli.eboardsolutions.com/SU/3cLqPb0ZXlIMnwJFplussftdg==</a>
4361.8	Family Care And Medical Leave - <a href="https://simbli.eboardsolutions.com/SU/14pPp1TWINK12lxOlrqSnw==">https://simbli.eboardsolutions.com/SU/14pPp1TWINK12lxOlrqSnw==</a>