

HUMAN RESOURCES

AP 7330 COMMUNICABLE DISEASE

References:

Education Code Sections 87408, 87408.6, and 88021

The intent of this procedure is to protect public health from diseases that could be transmitted via the scope/nature of the position and not to discriminate against individuals.

Newly hired employees

For successful applicants for academic positions who have not been previously employed in academic positions within the state:

- A medical certificate is required showing that the applicant is free from communicable disease, including but not limited to active tuberculosis, which would render the applicant unfit to instruct or associate with students. Such certificate shall be obtained from the applicant after an offer of employment is made but before the applicant commences employment.
- The medical certificate shall be submitted by a physician/physician assistant/nurse practitioner or surgeon as authorized by code.
- The medical examination upon which the certification is based shall be conducted not more than six months before the submission of the certificate and shall be at the expense of the applicant.
- A contract of employment may be offered to an applicant subject to the submission of the required medical certificate.
- The medical certificate becomes a part of the personnel record of the employee and is open to the employee or his or her designee.

For current employees

- Subject to the provisions of applicable collective bargaining agreements and employee handbooks, the District may require an employee to undergo a medical examination at District expense to determine that the employee is free from communicable disease (including but not limited to active tuberculosis) which could be transmitted in the normal course of the employee's job.
- Human Resource Services shall provide notice to the employee of the District-paid examination. Such notice shall state the reason for the examination and the date by which the examination must be completed.

Date Approved: 4/5/11; Revised: 3/20/18; Revised: 5/18/21.

(Replaces former Palomar Procedure 104 and all previous versions of AP 7330.)

- Following a District-paid medical examination, the District may require that the employee submit a medical certificate from a licensed physician/physician assistant/nurse practitioner or surgeon stating that the employee is free from communicable disease. Failure or refusal to submit such certification in a timely manner may cause the District to exclude the employee from service until such time as the employee provides the certification.
- Epidemics and Pandemics have their own unique set of circumstances, requiring a tailored response from the District to effectively respond to the health crisis. In the event the District requires employees to be vaccinated, the District may develop a Vaccination and Immunization Plan. The Vaccination and Immunization Plan will contain the following information:
 - A section outlining the reasoning for the Vaccination and Immunization requirements
 - Available Exemptions under relevant law
 - List of applicable rules, laws, and regulations
 - Accommodation Process Information (i.e., ADA)
 - Process and information required to submit proof of vaccination
 - Where to find up-to-date information on the epidemic or pandemic
 - Vaccination requirement beginning and ending periods

If an employee is not certified as free from communicable disease, the District will refer the applicant and report to a local public health official. The local public health official shall advise the District when the applicant or employee can be certified free from communicable disease.

This procedure is limited to examinations and certification for freedom from communicable disease. For fitness for duty applicant and employee physical and/or mental examinations, see BP 7335 titled Health Examinations.

Also, see BP/AP 5210 titled Communicable Disease – Students, BP 7335 titled Health Examinations, and AP 7336 titled Certification of Freedom from Tuberculosis.

Office of Primary Responsibility: Human Resource Services