

HUMAN RESOURCES

**BP 7330 COMMUNICABLE DISEASE**

**References:**

Education Code Sections 87408, 87408.6, and 88021;  
California Code of Regulations Title 8 Section 5193;  
29 Code of Federal Regulations Part 1910.1030

The Palomar Community College District is committed to providing a safe and healthy environment for its students and employees. The intent of this policy is to protect public health from diseases that could be transmitted via the scope/nature of the position and not to discriminate against individuals.

In furtherance of this commitment, this policy intends to mitigate the risks surrounding exposure to communicable diseases including, but not limited to, COVID-19 and other diseases resulting in an epidemic or pandemic.

All applicants for positions shall affirm, via medical certificate signed by a licensed physician/physician assistant/nurse practitioner, that they are free from communicable diseases, including but not limited to active tuberculosis, that could be transmitted via activities reasonably within the scope of the position. Employees shall not commence employment service until such medical certificate has been provided to the District.

**Newly hired employees**

All newly hired employees must show that within the past 60 days they have submitted to a tuberculosis risk assessment and, if risk factors are present, been examined to determine that they are free from active tuberculosis. If risk factors were present at the tuberculosis risk assessment, and an examination occurs, after the examination the employee shall provide the District with a certificate from the employee's examining physician showing that the employee was examined and found to be free from active tuberculosis.

**Not disqualifying**

An applicant's having a communicable disease does not automatically disqualify the applicant from employment unless it poses a significant risk to the health and safety of others and that risk cannot be eliminated through reasonable accommodation. For applicants with communicable diseases who request accommodation, the District shall make a determination as to reasonableness consistent with applicable state and federal laws, and the District's Equal Employment Opportunity and Nondiscrimination policies and procedures including BP/AP 3420 titled Equal Employment Opportunity and BP 3410 titled Nondiscrimination.

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**Date Adopted: 4/12/2011; Revised: 7/6/2021**

*(Replaces former Palomar Policy 104 and all previous versions of BP 7330.)*

**All employees**

All employees shall be required to undergo a tuberculosis risk assessment prior to their date of hire and every four years thereafter to determine if they are free from tuberculosis.

The District recognizes the potential danger to certain employment groups from occupational exposure to blood-borne pathogens, and offers information, vaccinations, and blood tests for such groups consistent with applicable law. Procedures governing bloodborne pathogens are as outlined in the District's Bloodborne Pathogens Plan, which is available through Environmental Health and Safety.

To work on campus, the District may require employees to be fully vaccinated, including any boosters, in the event of an epidemic or pandemic. The District will only create this requirement when at least one vaccine becomes fully approved by the U.S. Food and Drug Administration (FDA). When one vaccine receives full FDA approval, the District will then accept any other vaccine that has FDA Emergency Authorization Use (EAU) approval. Vaccine requirements are subject to the provisions of the applicable collective bargaining agreements and employee handbooks, in addition to relevant state and federal laws.

Also see BP/AP 5210 titled Communicable Disease – Students, as well as AP 7336 titled Certification of Freedom from Tuberculosis.