

## CHAPTER 8

### EMPLOYMENT REQUIREMENTS

#### 8.1 PHYSICAL EXAMINATIONS

##### 8.1.1 T.B. EXAMINATIONS:

A new employee shall present evidence that he/she has submitted to a T.B. examination or Risk Assessment within the past sixty (60) days to determine that he/she is free of active tuberculosis, by a physician or surgeon licensed under Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code. For new employees, evidence of compliance with the requirements of this section must be on file in the Classified Human Resources Office prior to the first day in paid status.

8.1.1.1 Subsequent to employment, employees who are skin test negative or have submitted to a T.B. risk assessment shall be required to undergo the foregoing examination at least once each four (4) years, or more often if directed by the Board of Education, upon the recommendation of the local health officer.

8.1.1.2 A person shall not be initially employed by a school district, in a classified position unless the person has submitted to a tuberculosis risk assessment within the past 60 days.

8.1.1.3 If no risk factors are identified, an examination is not required. Employees who have no identified risk factors or who test negative for TB are required to undergo screening every four years.

8.1.1.4 If tuberculosis risk factors are identified, the person must be administered a TB test.

8.1.1.5 If the TB test is positive, it must be followed by a chest x-ray to exclude active infectious TB.

8.1.1.6 If a person has a documented positive TB test for infection followed by an x-ray, the questionnaire is no longer required for that person, but the person will need to self-report to his or her primary care physician if signs of TB develop.

Reference: EC§ 45122, 45160 and 49406  
Health and Safety Code § 3450  
Administrative Code, Title 5, §5505

##### 8.1.2 MEDICAL EXAMINATIONS:

Individuals appointed to a position in the Classified Service, may be required to pass a job related physical examination prior to initial appointment. Promotional employees who have been offered employment in a classification possessing different physical requirements may also be required to undergo a medical examination as determined by

the Superintendent. The examination will be administered after the initial offer of employment but prior to actual finalization of the appointment.

Reference: EC§ 45122, and 45260

**8.1.3 RETURN TO WORK AND UNSCHEDULED EXAMS:**

An employee may be required to undergo a physical examination at any time there is deemed to be reasonable cause by the District Administration, subject to review by the Director Human Resources-Classified.

8.1.3.1 Every employee returning from illness/injury leave of absence will be required to submit to medical evidence to verify sufficient recovery to return to the employee's regularly assigned duties.

Reference: EC§ 45122, and 45160

**8.2 CRIMINAL RECORDS:**

**8.2.1 FINGERPRINTING:**

Every new employee shall submit to a criminal records check in accordance with prescribed procedures or shall forfeit eligibility for employment. The Classified Human Resources Office will notify each employee where and when to report for fingerprinting, which shall take place prior to the first day of employment.

Reference: EC§ 45125

**8.2.2 REVIEW OF CRIMINAL RECORDS:**

All criminal record reports are to be treated as confidential. Any employee charged with receiving and/or reviewing them who divulges information contained therein to an unauthorized person is subject to disciplinary action.

8.2.2.1 The criminal records report from the California Department of Justice and/or the Federal Bureau of Investigation will be reviewed together with the person's application form. If there is a criminal record which was undisclosed and not reviewed prior to employment, the Director Human Resources-Classified may order the withdrawal of the offer of employment to the candidate.

8.2.2.2 If the offer of employment to the candidate is to be withdrawn because of information disclosed on the criminal records report, the candidate shall be removed from all eligibility lists.

8.2.2.3 The Director Human Resources-Classified shall notify the eligible employee of the action taken and the reasons therefore and shall provide the person with an opportunity to appeal the decision in writing within five (5) calendar days of notification. If an appeal is filed, the Personnel Commission shall

conduct an appeal hearing using the procedures outlined in Rule 4.3. The decision of the Commission shall be final and binding on all parties.

Reference: EC§ 45125, 45260, and 45261

### **8.3 OTHER INCOME REQUIREMENTS:**

#### **8.3.1 INCOME TAX WITHHOLDING FORM:**

New employees shall submit the W-4 form for both State and Federal taxes to the Classified Human Resources Office at the time of employment.

Reference: EC§ 45260, and 45261

#### **8.3.2 RETIREMENT APPLICATION:**

New employees shall submit a completed retirement application form for the Public Employees Retirement System (PERS) to the Classified Human Resources Office at the time of employment. This rule shall apply only to those employees entitled to retirement benefits.

Reference: EC§ 45260, and 45261

#### **8.3.3 SOCIAL SECURITY NUMBER:**

New employees shall submit their social security number to the Classified Human Resources Office at time of employment.

Reference: EC§ 45260, and 45261

#### **8.3.4 LOYALTY OATH:**

All new employees must sign a loyalty oath as required by Article XX, Section 3 of the California State Constitution and the Education Code. The loyalty oath shall be administered in the Classified Human Resources Office at time of initial employment. Refusal to sign the loyalty oath shall cause the initial employment offer to be withdrawn.

Reference: EC§ 7000-7006, and 45260  
California State Constitution Article XX, Section 3

#### **8.3.5 VERIFICATION OF RIGHT TO WORK STATUS:**

All individuals are required to provide proof of their right to work in the United States and for the District. An individual's right to work is a minimum qualification for employment with the District. The Personnel Commission directs its Director Human Resources-Classified to insure that all employees hired are legally entitled under Federal law to work for the District.

8.3.5.1 No individual shall be allowed to be placed in paid status without having on file with the Classified Human Resources Office sufficient

documentation as required by Federal law as to that individual's right to work for the District.

8.3.5.2 No proof will be required until after an initial offer of employment has been made by the Classified Human Resources Office. Every individual will be required to provide verification as required in this rule.

8.3.5.3 An individual unable to provide verification of his/her right to work in this country and for the District pursuant to this rule, shall have his/her name removed from the eligibility list(s), and shall not be placed on the payroll of the District.

8.3.6 **REQUIREMENT TO NOTIFY DISTRICT OF ANY STATUS CHANGE:**

Employees shall notify the Classified Human Resources Office whenever their status changes, such as new address, new telephone number, name of person(s) to notify in case of emergency, etc.

Reference: EC§ 45260, and 45261

8.3.7 **FILING OF REQUIRED LICENSES OR CERTIFICATES:**

Some classifications may require the employee to possess certain licenses and/or certificates. Every new employee must file copies of all licenses and/or certificates required as a condition of employment with the Classified Human Resources Office. As these licenses and/or certificates are renewed, copies of them must also be filed in the Classified Human Resources Office within ten (10) working days of receipt by the employee.

Reference: EC§ 45260, and 45261