

✓(P2)

PERSONNEL

Temporary Alternative Duty

A. Purpose

To assist the School Division in receiving productive work from an employee who is temporarily disabled due to a work-related disability, by means of a modification in the range of the employee's required duties or through the temporary reassignment of the employee to an alternate and temporary task, the School Division will make temporary alternative duty assignments available for employees when it is in the School Division's best interest. The determination of whether appropriate assignments are available and in the School Division's best interest will be made by the School Division in its sole discretion.

B. Definitions

1. Temporary Alternative Duty: a modification in the range of the required duties for an employee or the temporary reassignment of an employee to an alternate and temporary task due to an employee's inability to fulfill all the essential functions of his or her position for a limited time period due to a work-related disability.
2. Work-Related Disability: the inability to perform the full requirements of the employee's regular job as a result of a job-related injury or illness as defined in the Virginia Workers' Compensation Act.

C. Policy Conditions

1. A temporary alternative duty assignment shall be conditioned upon the presentation of a medical diagnosis by the workers' compensation panel physician to School Division and a

medical certification from the panel physician to the supervisor which certifies that:

- a. ~~The employee is unable to perform the full range of essential functions of his/her regular job;~~
- b. ~~The disability is temporary in nature;~~
- c. ~~The employee is able to safely perform the essential functions of the proposed temporary alternative duty assignment; and~~
- d. ~~The temporary alternative duty assignment poses no health or safety risks to the employee or to others.~~

2. Temporary alternative duty shall be terminated when:

- a. ~~The employee is medically released to return to the employee's regular job; or~~
- b. ~~The employee reaches maximum medical improvement and is certified as permanently unable to perform the full range of duties of the employee's regular job; or~~
- c. ~~One hundred and eighty (180) consecutive calendar days of temporary alternative duty have lapsed. Upon the lapse of one hundred and eighty (180) consecutive calendar days of temporary alternative duty, the employee will be counseled with regard to the employee's employment options. Further, if an employee is medically released to return to the employee's regular job after one hundred and eighty (180) consecutive calendar days of temporary alternative duty and, subsequently, has a recurrence of the injury or medical problem, or if the employee is unable to return to full duty after one hundred and eighty~~

D.—Disqualification

- 1.—An employee on a temporary alternative duty assignment who performs work for any employer (including self-employment), without the permission of the School Division and the School Division Workers' Compensation Program Administrator, will be subject to disqualification from the temporary alternative duty assignment and may be subject to disciplinary action.
- 2.—An employee who willfully engages in activities which are prohibited by the employee's panel physician, the School Division Workers' Compensation Program Administrator or which could reasonably be expected to aggravate the employee's medical condition will be subject to disqualification from the temporary alternative duty assignment and may be subject to disciplinary action.

E.—Procedure

- 1.—All requests for temporary alternative duty assignments will be forwarded to and coordinated by the Workers' Compensation Program Administrator.
- 2.—The Workers' Compensation Program Administrator is responsible for continuously monitoring the temporary alternative duty requirements.
- 3.—An employee on a temporary alternative duty assignment shall not return to regular duty without first receiving written approval from the panel physician and the School Division Workers' Compensation Program Administrator. Upon receiving such approval, the employee must notify the employee's immediate supervisor before returning to regular duty.

Adopted by Superintendent: May 17, 2000

Scrivener's Amendments: August 23, 2013

Revised by Superintendent: August 18, 2021

~~(180) consecutive calendar days have lapsed, the employee will be counseled with regard to employment options.~~

~~3. Other policy requirements~~

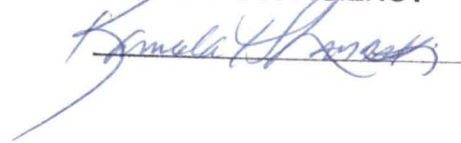
- ~~a. A School Board employee on a temporary alternative duty assignment shall not operate any type of School Division vehicle without the express written permission of the employee's supervisor and written approval of the panel physician.~~
- ~~b. An employee on a temporary alternative duty assignment shall immediately notify the employee's temporary duty supervisor and regular supervisor if there are any changes to the employee's condition which necessitates additional or different limitations on a temporary alternative duty assignment, as certified by the panel physician.~~
- ~~c. If the School Division requires an employee to receive a second medical opinion/prognosis, the cost of the second opinion will be paid by the School Division. If the employee requests a second medical opinion/prognosis, the employee will pay the cost of the second opinion.~~
- ~~d. While on restricted duty status, an employee may be required to turn in any assigned take home vehicle.~~
- ~~e. Employees on temporary alternative duty, generally, will not be permitted to work overtime hours. In extenuating circumstances, overtime hours may be assigned with the written approval of the panel physician and the appropriate Department Head.~~

Delete: Renumbered to Regulation 4-12.2

Mark as "Reserved" in Section 4 Policies Listing

Cheryl Woodhouse

APPROVED AS TO
LEGAL SUFFICIENCY

A handwritten signature in blue ink, appearing to read "Kamala Harris", is written over a horizontal line.