Merchantville Board of Education 130 South Centre Street Merchantville, NJ 08109	File Code : 4112.4/4212.4 Proposed : 8/28/90 Adopted : 9/25/90 Revised : 11/22/2016 Reviewed : 05/06/2024

Employee Health

Examinations

When a candidate has been given a conditional offer of employment, he/she shall be required to submit to a medical evaluation and a physical examination. This physical examination may include testing for controlled dangerous substances as they are defined in the criminal code. Elements of the examination of newly employed staff shall include but not be limited to those listed in administrative code. Employees may be required to undergo an annual physical examination.

The results of all required employee medical examinations shall be made known to the chief school administrator on a confidential basis, discussed with the employee, and made a part of his/her confidential medical record. Records and reports of examinations shall be filed with the district medical inspector as confidential information but shall be available to and reported to appropriate health agencies as required by law.

In the event an employee of the board has been determined to have a mental abnormality or communicable disease or exhibits symptoms of substance abuse and, if in the opinion of the district medical inspector such condition makes the employee unfit for continued employment, the board may remove the employee from further service as provided by law or grant leave as provided by law during the period of unfitness. An employee determined to be unfit must provide the board with satisfactory proof of recovery before reinstatement will be allowed.

In the event an employee of the board shows evidence of deviation from normal physical or mental health, the district may require additional individual psychiatric or physical examinations of the employee. When an additional psychiatric or physical examination is required:

A. The board shall provide the employee with a written statement of reasons for the required additional examination. The district board of education shall provide the employee with a hearing, if requested;

B. The determination of the board hearing if requested shall be appealable to the commissioner;

C. The employee may, without reprisal, refuse to waive his or her right to protect the confidentiality of medical information.

The report of the required psychiatric or physical examination shall include a statement by the examining physician as to any physical or mental condition noted likely to prevent the person examined from performing all duties and responsibilities of the position sought or occupied, or a statement that no such condition exists.

In order to protect the pupils and staff in the district schools, all regulations of the state

department of education, the state department of health and the local board of health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases. Staff who have been identified as having a communicable disease shall not be permitted continued employment unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine and reporting.

When required examinations are performed by a physician designated by the board, the board shall bear the expense. Should an employee prefer to see his/her own physician, with board approval, the employee shall bear the expense.

Occupational Containment of Bloodborne Pathogens

The board is committed to provide a safe and healthful work environment for staff. In pursuit of this endeavor, an Exposure Control Plan (ECP) shall be provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with federal regulations.

The ECP is a key document to assist the district in implementing and ensuring compliance with the OSHA bloodborne pathogens standard, thereby protecting employees. This ECP includes:

A. Identification of tasks, procedures and job classifications where occupational exposure to blood occurs;

B. Procedures for evaluating the circumstances surrounding an exposure incident; and

C. The schedule and method for implementing the specific sections of the standard, including:
   1. Methods of compliance;
   2. Hepatitis B vaccination;
   3. Post-exposure evaluation and follow-up;
   4. Hazard communication requirements;
   5. Effective employee training;
   6. Recordkeeping.

The ECP shall be reviewed annually to ensure that it reflects use of the most current medical technology.

Implementation and Dissemination

The chief school administrator in consultation with the district medical inspector shall prepare regulations to implement this policy in compliance with law and code. All employees shall receive this policy and be made aware of the requirements for health examinations.

Legal References:

N.J.S.A. 2C:35-1 et seq.	Comprehensive Drug Reform Act of 1987
N.J.S.A. 18A:16-2	Physical examinations; requirement
N.J.S.A. 18A:16-3	Character of examinations
N.J.S.A. 18A:16-4	Sick leave; dismissal

N.J.S.A.	18A:16-5	Records of examinations
N.J.S.A.	18A:40-10	Exclusion of teachers and pupils exposed to disease
N.J.S.A.	18A:66-39	Disability retirement
N.J.S.A.	26:4-1	"Communicable disease" defined
N.J.S.A.	26:4-6	Prohibiting attendance of teachers or pupils
N.J.S.A.	26:4-15	Reporting of communicable diseases by physicians
N.J.S.A.	26:5c-1 et seq.	AIDS Assistance Act
N.J.A.C.	6A:16-2.1	Health services policy and procedure requirements
N.J.A.C.	6A:32-6.1 et seq.	School Employee Physical Examinations
N.J.A.C.	8:61-1.1et seq.	Participation and Attendance at School by Individuals with HIV Infection
N.J.A.C.	12:100-4.2	Safety and Health Standards for Public Employees (Adoption by reference)

42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)

29 CFR 1910.1030 - Bloodborne Pathogen Standard

School Board of Nassau County v. Arline, 480 U.S. 273 (1987)

Elizabeth v. Elizabeth Fire Officers Association, 10 NJPER 15022

Possible Cross References:

*4111	Recruitment, Selection and Hiring
*4112.6	Personnel records
4117.50	Standards for staff discipline
4117.52	Dismissal/suspension
*4119.23	Employee substance abuse
4150	Leaves

*Indicates policy is included in the Critical Policy Reference Manual.