

Woodburn School District 103

Code: **G CBD/GDBD**
Adopted: 9/21/92
Revised/Readopted: 8/19/99, 10/16/03,
10/21/04
Orig. Code(s): G CBD/GDBD

Personal Illness and Injury Leave

Sick leave entitlement for personal illness/injury will accrue at the rate of 10 days each year as provided by Oregon Revised Statute. Twelve-month employees will accrue 1 day per month or 12 days each year. All other employees who work less than 12 months will receive 1 day per month.

Sick leave not taken shall accumulate for an unlimited number of days. A local governing board is required to permit a school employee to take up to 75 days sick leave accumulated in other Oregon districts. The Board may accept additional sick leave hours upon written request of an employee with a serious illness that qualifies under the Oregon Family Medical Leave Act (OFMLA), and has been employed with the district for a minimum of 772 days (4 years).

The district reserves the right after an absence of more than five consecutive days to require proof of personal illness or injury from all employees, including a medical examination by a physician chosen and paid for by the district. Any employee refusing to submit to such an examination or to provide other evidence as required by the district, shall be subject to appropriate disciplinary action, up to and including dismissal.

All medical information will be kept confidential, in a separate file from personnel records, and released only in accordance with the requirements of the Americans with Disabilities Act or other applicable law.

Sickness or other unavoidable circumstances that prevent a teacher from teaching 20 school days immediately following exhaustion of sick leave accumulated under Oregon law will result in the teacher being placed on unpaid leave for the remainder of the school year or until the teacher's disability is removed and he/she is able to return to work. If the teacher is still unable to return to work the following August 1, the Board may terminate the teacher's employment.

All district-paid employee benefits, such as health and dental insurance, will cease on the last day of the month in which employment is terminated, or the staff member is moved to unpaid leave. The staff member will be informed of his/her rights to remain a part of the district benefit plan at personal expense.

Any worker who has sustained a compensable personal injury or illness and is disabled and is unable to perform his/her essential job functions will be re-employed at such time as a physician issues a certificate stating the type of work that is appropriate for reassignment, assuming such work is both suitable and available. Such rights of re-employment are subject to seniority rights and other restrictions of the collective bargaining agreement between the employer and employee bargaining unit.

END OF POLICY

(continued)

Legal Reference(s):

[ORS 332.507](#)

[ORS 342.545](#)

[ORS 342.610](#)

[ORS 659.420](#)

Knapp v. City of North Bend, 83 Or. App. 350 (1987); rev'd, 304 OR. 34 (1987).

Consolidated Omnibus Budget Reconciliation Act of 1985, P.L. 99-272, Title X, Section 10003, 100 Stat. 232 (West 1987)

Tax Reform Act of 1986, P.L. 99-514, Title XVIII, Section 1895(d), 100 Stat. 2931 (West 1987)

Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630

Family and Medical Leave Act of 1993, 29 U.S.C. Section 2601 et seq. 29 CFR Part 825

Cross Reference(s):

[ACA](#) - Americans with Disabilities Act