

**EL DORADO UNION HIGH SCHOOL DISTRICT
BOARD POLICY**

All Personnel

**TEMPORARY MODIFIED/
LIGHT DUTY ASSIGNMENT
BP 4113.4**

The Governing Board recognizes that, when employees have temporarily disabling medical conditions, temporary modified or light-duty assignments can allow the district to continue to use their valuable knowledge, skills, and abilities while minimizing time away from work. Temporary modified/light-duty assignments may also serve to facilitate the employee's transition back to his/her regular duties or full-time work.

(cf. 3530 - Risk Management / Insurance)
(cf. 4157.1 / 4257.1 / 4357.1 - Work-Related Injuries)
(cf. 4161.1 / 4361.1 - Industrial Accident / Illness Leave)
(cf. 4161.8 / 4261.8 / 4361.8 - Family Care and Medical Leave)
(cf. 4261.8 - Industrial Accident / Illness Leave)

Note: In Raine v. City of Burbank, a California Court of Appeal held that an employer is not obligated to convert a temporary, light-duty position into a permanent position once the temporary disability becomes permanent, if doing so would require the employer to create a new position just for the employee. According to the court, if an employee is permanently disabled, the analysis for the employer is based on the need to provide reasonable accommodation under the Americans with Disabilities Act (42 USC 12101-12213) and the state's Fair Employment and Housing Act (Government Code 12900-12996).

Any employee may request a modified or light-duty assignment when he/she has a temporary medical condition which prevents the performance of the essential functions of his/her current assignment or position. The Superintendent or designee shall determine, on a case-by-case basis, whether a suitable temporary position currently exists to accommodate the physical restrictions specified by the employee's medical provider.

(cf. 4032 - Reasonable Accommodation)

An employee who rejects a temporary modified / light-duty assignment may be subject to a loss of workers' compensation benefits in accordance with district's insurance policy.

Legal Reference:

EDUCATION CODE

44984 Required rules for industrial accident and illness leave

45192 Industrial accident and illness leave for classified employees

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act

12945.1-12945.2 California Family Rights Act

**INDUSTRIAL INJURY TEMPORARY MODIFIED/
LIGHT DUTY ASSIGNMENT (continued)**

BP 4113.4

UNITED STATES CODE, TITLE 29

2601-2654 Family Care and Medical Leave Act

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

COURT DECISIONS

Raine v. City of Burbank, (2006) 135 Cal.App.4th 1215

Management Resources

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>