

STANISLAUS CONSOLIDATED FIRE PROTECTION DISTRICT
POLICIES & PROCEDURES

ARTICLE: B-8
SECTION: Personnel Division
DATE: March 31, 2009
SUPERSEDES: Green Book 800
TITLE: Life Threatening Illnesses in the Workplace Policy & Procedure

DEFINITION

This document sets out the Stanislaus Consolidated Fire Protection District's (SCFPD) policy concerning the employment of persons with life threatening illnesses and contagious diseases.

This policy covers illnesses that include but are not limited to the following: cancer, heart disease, HIV/AIDS, stroke, diabetes, and hepatitis.

This policy applies to all District employees in all divisions.

POLICY

It is the policy of SCFPD that no personnel distinctions in the terms and conditions of employment shall be made based on the fact or perception that an individual has a life threatening illness, contagious disease or other disability so long as the person can perform the essential functions of the job with or without reasonable accommodation and so long as the condition presents no significant threat to the employee or to others.

PROCEDURE

1. The workplace shall be free of harassment, discrimination and intimidation toward applicants and employees with life threatening illnesses and contagious diseases.
 - a. If fit to perform essential job functions, the employee shall be provided with work in accordance with normal procedures.
 - b. If unable to perform essential job functions, the employee shall be treated in the same manner and with the same consideration as any other ill or disabled employee. The District will provide reasonable accommodation in order to enable the employee to perform the essential functions of the position. If the employee is unable to perform the essential functions of the job, with reasonable accommodation, the District will explore other options, including

2. Reasonable Accommodation – Employees with any life threatening illnesses will be allowed to continue working so long as they are able to perform their jobs satisfactorily and so long as available medical evidence indicates that their continued employment does not present a health or safety threat to themselves or others. Reasonable accommodation provided will be on a case by case basis in compliance with the ADA and/or the FMLA. Even if reasonable accommodation is provided, the employee will be expected to perform the essential duties of the position.
3. Fear of Contagion – If an employee fears that due to the nature of his/her job, that there is the possibility of being exposed to a contagious disease, the employee who fears such contagion should contact the Operations Chief.
4. Confidentiality – All medical information about an employee who is diagnosed as having a life threatening illness or disability shall be held in strict confidence. Any information released will be done by Management in accordance with the law. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.
5. Management Responsibilities – When dealing with ill employees, managers and supervisors should:
 - a. Remember that an employee’s medical condition is confidential.
 - b. Contact the Operations Chief for further information about an illness, or if additional assistance is needed.
 - c. Contact the Operations Chief to determine if a statement should be obtained from the employee’s attending physician that continued presence at work will pose no significant current risk of substantial harm to the employee, co-workers or members of the public.
 - d. Be sensitive and responsive to co-workers’ concerns and emphasize employee education available through Administration/HR.
 - e. Employees with questions or concerns are encouraged to contact the Fire Chief and/or to seek assistance from the Employee Assistance Program if counseling services are necessary. Information on this may be obtained through Administration/HR.
 - f. Supervisors are to remind employees with a life threatening illness or contagious disease of their rights under the FMLA. Any questions regarding

6. Complaint Procedure – If an applicant or employee believes that he/she has been discriminated against, harassed or intimidated on the basis of having a life threatening illness or contagious disease, that person should file a complaint with the Operations Chief. Upon receipt of the complaint the District will immediately start an investigation and mitigate the situation. Discipline policy/procedure will be followed if allegations are founded.
7. Employees are still required to follow the provisions of the District’s Drug and Alcohol Policy and may not be impaired while at work.

Written by: Chief Steve Mayotte

Approved by: _____

Date: April 20, 2009