

**Linn Benton Lincoln
Education Service District**

Code: **GCBDB/GDBDB**
Adopted: 6/9/99
Readopted: 10/10/07

Early Return to Work

Employees who suffer, or have suffered, a health-related disability may be required to submit a certificate from a duly licensed physician approving their return to assigned responsibilities and duties specified in the job description of the employee. Such a certificate may be required when, in the ESD's judgment, working without such a medical release could place the ESD in a position of potential liability.

Such a judgment by the supervisor shall be based upon a reasonable conclusion that a hazardous condition could be created if the employee has not sufficiently recuperated to fully meet the requirements of the job, when the relationship between the type of health condition present and the requirements of the job held by the employee are considered.

Efforts will be made on a case by case basis to return employees to work. Returns will be within the requirements of the injury or health condition, the limitations of the law, and the limitations of the ESD.

In the event an employee is not able to perform essential job functions completely after an illness or injury, the ESD will determine whether reasonable accommodations are appropriate that would provide temporary light duty assignment, restructuring of the job to include modified work days, shift or part-time work, hours of work, or modifications in facilities, equipment, special aids or services. Reasonable accommodations must not result in an undue hardship on the ESD.

If an employee cannot be reasonably accommodated in his/her current job, the ESD will review alternative assignments. The employee, if qualified, will be offered an available vacant position with or without reasonable accommodations. If no other assignment is possible, the ESD will provide unpaid leave if recovery is on-going and sick leave is exhausted. Unpaid leave will be provided in accordance with Oregon law.

The ESD will maintain current position descriptions for each job category. Physical requirements for appropriate job categories will be established.

The superintendent will develop procedures necessary to implement this policy.

END OF POLICY

Legal Reference(s):

[ORS 659A.043](#)

[OAR 581-024-0240](#)

[ORS 659A.046](#)

[OAR 436-110-0001 to -0900](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Cross Reference(s):

ACA - Americans with Disabilities Act

GAB - Job Descriptions