

439. DISABILITY LEAVE OF ABSENCE/CONTINUATION OF INSURANCE BENEFITS FOR DISABLED EMPLOYEES

The Joint Operating Committee shall have complete discretion in deciding the length of any leave and may require that the end of any leave commence with the beginning or end of a school year or semester.

Leave will be without pay or benefits, except as otherwise specifically provided under this policy or other policies of the Lebanon County Career and Technology Center.

An employee seeking to return from a disability leave of absence must notify the Director as soon as practicable prior to the desired date of return, and must provide:

- (i) evidence that he or she is no longer disabled, and
- (ii) evidence of ability to perform satisfactorily the essential functions of his or her pre-disability job, including any reasonable accommodations requested to enable performance. If the employee is unable to perform the duties of the pre-disability job, the employee may submit a request for reassignment to an alternative vacant job. Any such request shall state the individual's ability and qualifications to perform the alternative job, and shall be accompanied by evidence of ability to perform the job, including any reasonable accommodation needed to enable performance.

The evidence of recovery and ability to perform the job with reasonable accommodation must be satisfactory to the Joint Operating Committee. No return will be allowed until approved by the Joint Operating Committee, and the decision on return shall be made in the sole discretion of the Joint Operating Committee, as the body responsible for the welfare of the students attending the Lebanon County Career and Technology Center.

At the discretion of the Joint Operating Committee, return to work may be delayed until the beginning of a new school year or semester, if this is deemed to be in the best interests of affected students.

Disability leave shall be considered an approved leave of absence for purposes of Section 11-1125.1(a) of the School Code.

An employee must resign, and upon failure to do so the employee's employment will be terminated under any of the following circumstances:

If the employee is disabled and does not apply for leave of absence within 30 days or after exhaustion of sick leave entitlement; or

If approved disability leave ends and the employee has either not notified the Director of desire to return, or not provided satisfactory evidence of recovery and ability to return to employment; or

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4. Insurance Benefits

If the employee is disabled and has used the maximum disability leave period provided under paragraph 4(b) of this policy; or

If the employee fails to cooperate with the Joint Operating Committee or the Director concerning conditions established for the granting or continuation of a leave, or otherwise to comply with requirements of this policy or other rules or regulations of the Lebanon County Career and Technology Center or with the School Code.

During the term of an employee's disability leave of absence, the Joint Operating Committee shall continue to provide employees who are eligible for and receiving income protection benefits, either from the Lebanon County Career and Technology Center or from its long term disability insurance carrier, with life insurance, health care insurance and dental care insurance at the same level which is provided, as altered from time to time, in negotiated agreements with bargaining units or in accordance with such other policy as applies to the employee. The employee will be responsible to pay in advance for any insurance coverage for which the Joint Operating Committee does not pay full cost.

An employee who meets the eligibility criteria set forth above will receive such continuation of life, health and dental insurance for a period up to the time when income protection benefits cease, or until the employee becomes eligible for health care benefits under any employer-sponsored medical plan, Medicare or any similar governmental program, whichever is earlier. However, no employee on a leave or series of leaves will receive life, health and dental insurance at Lebanon County Career and Technology Center's expense, for any aggregate period of time in excess of two (2) years. Continuation of life, health and dental insurance is available to disabled employees on leave and disabled employees who are terminated, subject to the limitations and the other conditions set forth above. Employees who resign or retire because of their disability may also receive benefit continuation at the sole discretion of the Joint Operating Committee.

The Director or the Joint Operating Committee may establish regulations in order to ensure that employees on disability leave of absence or former employees receiving health insurance benefits continue to meet the eligibility requirements.

Approval of leave of absence may be withdrawn and benefits may be discontinued for employees who fail to properly follow procedures for obtaining or certifying leave of absence, who provide false or misleading information, or who refuse to be examined by or fully cooperate with a physician designated by the Joint Operating Committee.

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5. Miscellaneous	<p>The Joint Operating Committee reserves the right to require that anyone receiving benefits under this policy be examined by a physician designated by the Joint Operating Committee as a condition for approval of leave, for receipt of continued benefits or for return to regular employment. Examinations by a physician designated by the Joint Operating Committee will be at Joint Operating Committee expense.</p> <p>The Joint Operating Committee may, in its sole discretion, deny a leave of absence and/or benefit continuation to any employee whose employment is terminated, voluntarily or involuntarily, for reasons relating to unsatisfactory job performance or other reasons unrelated to the disability.</p> <p>If an employee prevented by illness or injury from working has not been granted a leave and seeks to return to work and if the Director questions whether the employee has recovered and is able to perform his or her job, the employee must provide evidence of recovery and ability to perform satisfactorily his or her job. The evidence of recovery and ability to perform the job must be satisfactory to the Joint Operating Committee. No return will be allowed until approved by the Joint Operating Committee, and the decision on return shall be made in the sole discretion of the Joint Operating Committee, as the body responsible for the welfare of the students attending the Lebanon County Career and Technology Center.</p> <p>This policy shall be administered in compliance with all applicable laws relating to employment of disabled individuals.</p>	

