LEBANON COUNTY CAREER AND TECHNOLOGY C·E·N·T·E·R

Section: PROFESSIONAL EMPLOYEES

Title: DISQUALIFICATION BY REASON OF HEALTH

Adopted: February 20, 1996

Revised: December 18, 2001

	412. DISQUALIFICATION BY REASON OF HEALTH	
1. Purpose	Consistent with law with respect to equal opportunity, nondiscrimination, The Americans With Disabilities Act and the Pennsylvania Human Relations Act, it is the policy of the Joint Operating Committee to ensure that the programs and operations of this school are administered by individuals physically and mentally fit for the duties assigned.	
2. Authority	A professional employee may be placed on sick leave or retired for physical or mental disability that makes him/her unfit to perform the essential job functions of his or her position with or without reasonable accommodations. When a professional employee, in the opinion of the Administrative Director, is unfit to perform the essential job functions of his or her position with or without reasonable accommodations in this school by reason of physical or mental condition, the following procedures shall be followed: A. The Administrative Director shall present to the Joint Operating Committee reasons for questioning the condition of the employee. The employee may be transferred to an available position for which she/he is qualified upon the recommendation of the Administrator Director. B. Should the Joint Operating Committee determine that the reasons given constitute sufficient cause to order the employee to be examined, said employee shall be given written notice of the need for such examination and an opportunity to appear before the Joint Operating Committee or a committee of the Joint Operating Committee, within ten (10) days to explain why such an order will not be followed. C. The Joint Operating Committee may offer a hearing which, if accepted by the employee, shall be conducted in accordance with Sections 1127 and 1128 of the School Code if dismissal is indicated or the following rules if dismissal is not indicated: • The hearing will be privately held. • Staff members may present witnesses on their behalf.	SC 1122

- Witnesses will be called individually and excused after making their statement.
- Witnesses need not present testimony under oath and will not be subject to cross-examination, but may be questioned by the person presiding over the hearing.
- Staff members may be represented by counsel or an individual of the employee's own choice.

D. Should the Joint Operating Committee, following a hearing, order an examination, said examination may be conducted by a physician(s) selected by the employee from a list provided by the Joint Operating Committee.

SC 1418

E. The examination shall be conducted within fifteen (15) days following the hearing.

F. If, as a result of such examination, the employee is found to be unfit to perform assigned duties, the employee shall be placed on mandatory sick leave for such period as may be indicated and with such compensation to which she/he is entitled until proof of recovery, satisfactory to the Joint Operating Committee is furnished.

SC 1122
1127
1128
1153
1154
P.C. Title 28
23.44

G. Should an employee refuse to submit to examination following the exhaustion of proper appeals, the Joint Operating Committee shall consider such as cause for dismissal.