

1 **ARTICLE 15: INDUSTRIAL ACCIDENT AND ILLNESS LEAVE**

- 2 15.1 Unit employees who sustain an injury or illness arising directly out of and in the  
3 course and scope of their employment shall be eligible for a maximum of four-  
4 hundred and eighty (480) hours paid leave in any one (1) fiscal year. This leave  
5 shall not be accumulated from year to year. Industrial accident or illness leave  
6 shall commence on the first day of absence. At the request of the District, the  
7 employee shall be examined by a physician designated by the District at District  
8 expense to determine: (a) whether or not the employee has sustained an injury  
9 or illness, (b) the extent of the disability, and (c) the length of time during which  
10 the employee will be disabled. Based on the examination of the physician, report  
11 of the immediate manager, and report of the employee, the District shall  
12 determine the employee's eligibility for an industrial accident or illness leave.
- 13 15.2 A unit employee who has sustained an alleged job-related injury shall report the  
14 injury on a District-approved accident report form within twenty-four (24) hours to  
15 the immediate manager. An employee shall report any illness on a District-  
16 approved form to the immediate manager within twenty-four (24) hours of  
17 knowledge that the illness is an alleged industrial illness.
- 18 15.3 Payment for wages lost on any day shall not, when added to an award granted  
19 under the Workers' Compensation Laws of this State, exceed the normal wage  
20 for the day. Industrial accident and illness leave will be reduced by one (1) day  
21 for each day of authorized absence, regardless of a compensation award made  
22 under the Workers' Compensation Laws. When an industrial accident or illness  
23 occurs at a time when the full four-hundred and eighty (480) hours will overlap  
24 into the next fiscal year, the unit employee shall be entitled to only that amount  
25 remaining at the end of the fiscal year in which the industrial injury or illness  
26 occurred, for the same illness or injury.
- 27 15.4 Unit employees shall be required to serve or have served as a regular classified  
28 employee of the District in a paid status continuously for a period of six (6)  
29 months, to be eligible for industrial accident leave. If and when the District  
30 requires pre-employment physical examinations, this six (6) months eligibility  
31 requirement will be deleted. Nothing in this Article (15.4) shall be subject to the  
32 grievance procedure as set forth in Article 4 of this Agreement.
- 33 15.5 Industrial accident or illness leave is to be used in lieu of normal sick leave  
34 benefits. When entitlement to industrial accident or illness leave under this  
35 section has been exhausted, entitlement to other sick leave, vacation, or other  
36 paid leave shall be used. If the employee continues to receive temporary  
37 disability payments under the Workers' Compensation Laws of this State at the  
38 time of the exhaustion of leave under this section, he/she shall be entitled to use,  
39 on a prorated basis, his/her accumulated available sick leave, accumulated  
40 compensatory time, or other available leave, which when added to the Workers'  
41 Compensation award, provide for a full day's pay at the regular rate of pay.
- 42 15.6 During all paid leaves of absence, whether industrial accident, or industrial illness  
43 leave, sick leave, vacation, compensatory time or other available leave, the  
44 District shall issue the employee appropriate salary warrants for payment of the  
45 employee's regular salary and shall deduct normal retirement and other  
authorized contributions.

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15.7 A unit employee shall be permitted to return to service after an industrial accident or illness only upon the presentation of a release from a physician designated by the District, at the expense of the District, certifying the employee's ability to return to a position in the same class without any restrictions or detriment to the employee's physical and/or mental well-being. Any time an employee on industrial accident or illness leave is able to return to work, the employee may be reinstated in a position in the same class without loss of status or benefits.

15.8 A unit employee who has been medically released by a physician designated by the District and fails to return to a position in the same class may be terminated.