

CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: SUPPORT EMPLOYEES

TITLE: BENEFITS FOR PART-TIME
PERSONNEL

ADOPTED: November 19, 2003

REVISED:

541. BENEFITS FOR PART-TIME PERSONNEL	
1. Purpose	Benefits for regularly employed part-time personnel shall be determined in accordance with Board policy or resolution.
2. Guidelines	Whenever regularly employed, part-time support personnel are entitled to fringe benefits normally provided for full-time support employees, such benefits will be established at the time of employment, and the manner of proration determined at that time.
24 Pa. C.S.A. 8301	Part-time personnel shall be included in the School Employees' Retirement System, upon reaching either 500 hours or 80 days of employment, in accordance with law.
24 Pa. C.S.A. 8301	

CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: SUPPORT EMPLOYEES

TITLE: JURY DUTY

ADOPTED: November 19, 2003

REVISED:

<p>1. Authority 42 Pa. C.S.A. 4563</p> <p>2. Guidelines</p>	<p style="text-align: center;">542. JURY DUTY</p> <p>Support employees regularly employed shall be protected against loss of pay for time served on jury duty.</p> <p>An employee who serves on jury duty, upon proper notification of the court, shall receive his/her normal pay, provided that the employee remits to the Board all fees received from jury duty, exclusive of reimbursed expenses. Remittance must be made within seven (7) days of the date the employee receives fees from jury duty. The employee shall notify the Board in advance that s/he has been selected for jury duty.</p> <p>This provision shall not apply to legal proceedings between the Board and employees.</p> <p>The time spent on jury duty will not be charged against personal leave and will count as time on the job.</p> <p>Employees must submit to their supervisor a record from the court of the number of days served.</p>
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CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: SUPPORT EMPLOYEES

TITLE: PAID HOLIDAYS

ADOPTED: November 19, 2003

REVISED:

543. PAID HOLIDAYS	
1. Purpose	Paid holidays for regularly employed support employees shall be determined in accordance with Board policy.
2. Guidelines SC 1502, 1503 Pol. 803	Holidays are established for all support personnel in accordance with the calendar adopted annually by the Board or by individual contract, or Board resolution.
School Code 1502, 1503	
Board Policy 803	

CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: CLASSIFIED EMPLOYEES
TITLE: WORKERS' COMPENSATION
TRANSITIONAL
RETURN-TO-WORK PROGRAM

ADOPTED: November 20, 2013

REVISED:

	547. WORKERS' COMPENSATION TRANSITIONAL RETURN-TO-WORK PROGRAM
1. Purpose	The purpose of a workers' compensation transitional return-to-work program is the safe, timely return of injured district employees to transitional or regular employment.
2. Authority	<p>In an effort to control workers' compensation costs, the Board adopts this policy to ensure that employees who have been injured at work and are covered by workers' compensation return to work as soon as possible, in accordance with Board policy and administrative regulations.</p> <p>This policy shall apply only to an employee who meets all of the following conditions:</p> <ol style="list-style-type: none">1. Has been injured at work.2. Is disabled as defined under the state Workers' Compensation Act.3. Is capable of productive work.4. Cannot return to his/her pre-injury job for the district with or without reasonable accommodations as a result of his/her work injury.5. Is expected to be able to return to his/her pre-injury job within a definite period of time.6. Is being paid workers' compensation disability benefits. <p>An employee shall not be eligible for continuation in the transitional return-to-work program if one (1) of the following determinations is made:</p> <ol style="list-style-type: none">1. Employee cannot perform the assigned lighter duty work.

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RETURN-TO-WORK PROGRAM - Pg. 2

<p>3. Delegation of Responsibility</p>	<p>2. Employee will be unable to return to his/her pre-injury occupation with or without reasonable accommodations within a reasonable period of time.</p> <p>The work that shall be offered to an eligible employee shall be productive work that will advance the interests of the district.</p> <p>The Superintendent or designee shall establish a transitional return-to-work program and develop administrative regulations to implement the Board policy.</p> <p>The Superintendent or designee shall ensure that all district staff responsible for the transitional return-to-work program shall receive periodic training from legal counsel with expertise in the Family And Medical Leave Act, Americans With Disabilities Act, workers' compensation and labor relations. The training shall include information on the interaction of the transitional return-to-work program and applicable laws, contracts and collective bargaining agreements.</p> <p>The Superintendent or designee shall determine if a lighter duty job will be offered to an eligible employee.</p> <p>When the interactive process is going to be engaged in, the Superintendent or designee shall engage the solicitor or special labor counsel.</p>
<p>4. Guidelines</p>	<p>The transitional return-to-work program and Board policy shall be implemented in a manner that does not conflict with applicable laws, contracts or collective bargaining agreements.</p> <p>Nothing in this policy shall be construed as requiring that a lighter duty job be provided to an eligible employee or that the essential functions of any job be eliminated. Lighter duty jobs are intended as a transitional opportunity to assist an injured employee to return to his/her pre-injury occupation with or without reasonable accommodations.</p>

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References:

Workers' Compensation Act – 77 P.S. Sec. 1 et seq.

Family And Medical Leave Act – 29 U.S.C. Sec. 2601 et seq.

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.

Family And Medical Leave Act, Title 29, Code of Federal Regulations –
29 CFR Part 825

Health Insurance Portability And Accountability Act, Title 45, Code of
Federal Regulations – 45 CFR Part 160, Part 164

Clarion-Limestone Area School District

Return-to-Work Program

I. STATEMENT

The Clarion-Limestone Area School District recognizes the need to provide temporary, transitional work to employees who are unable to perform their regular duties due to an occupational injury or illness.

II. SCOPE

This program applies to all employees who sustain an occupational illness or injury. Employees will receive assignments on availability.

III. DEFINITIONS

- A. Occupational illness/injury: For the purposes of this program, an occupational injury or illness means an injury or disease arising out of the employment with Clarion-Limestone Area School District and compensable under the workers' compensation laws of the State of Pennsylvania.
- B. Temporarily Totally Disabled (TTD): An employee who is temporarily totally disabled as a result of an occupational injury or illness is one who is medically incapable of performing any work.
- C. Temporarily Partially Disabled (TPD): A person whose medical condition permits him or her to perform some occupational function.

IV. GOAL

- A. To provide for employees with job-related injuries or illnesses that restricts regular job performance.
- B. To assist employees in the transition from injury or illness to recovery while continuing to be a productive part of the work force.
- C. To prevent the deterioration of employees' work skills, health, and attitude that may result from prolonged work absence.
- D. To demonstrate the organization's commitment to employee recovery.
- E. To minimize the loss of productivity.

V. ROLES AND RESPONSIBILITIES

A. Employer/Top Management Roles and Responsibilities

- 1. Develop a written policy with clearly defined procedures.
- 2. Select a RTW Coordinator.
- 3. Inform the insurer and health care providers that our organization has an early Return-to-Work program.

B. RTW Coordinator Responsibilities

- 1. Understand and promote the RTW (disability management) program.
- 2. Monitor progress of returning injured/ill employees to work and monitor problems that may occur to ensure that they are addressed.
- 3. If the employee is released to work with restrictions that prohibit a return to regular job duties, identify temporary, transitional work opportunities that meet the physician's restrictions.
- 4. Notify the employee if temporary, transitional work is available and send a copy of the job offer to the claims adjuster.

5. Notify the claims adjuster of the employee's acceptance or rejection of temporary, transitional work.
6. Document the temporary, transitional work duties to show compliance with physician's recommendations
7. Review the accommodation with the employer and supervisor prior to the injured/ill worker starting work.

C. Manager/Supervisor Responsibilities

1. Understand and support the company's written policies/procedures.
2. Complete accident investigation as soon as possible after the injury and forward report to RTW coordinator.
3. Meet with RTW coordinator and employee to review the restrictions from provider and identify accommodations or temporary, transitional work assignments.
4. Maintain daily/weekly contact with employee.
5. Assure that employee does not exceed work restrictions.
6. Provide employee with employee claim form and complete supervisor's report form.

D. Employee Responsibilities

1. Follow procedures for reporting all occupational injuries and illnesses immediately.
2. Communicate with managers/supervisors about your ability to return to work.
3. Cooperate with the medical provider regarding ability to return to work.
4. Work within the physical capabilities outlined in the temporary, transitional work plan by the medical provider.
5. Support coworkers and provide a positive environment when injured employees return to transitional positions.
6. Abide by the work/safety rules at the location of the temporary, transitional work assignment.

E. Medical Provider Responsibilities

1. Become familiar with the Clarion-Limestone Area School District operations, job demands and temporary work assignments.
2. Communicate verbally and in writing the RTW coordinator, claims adjusters, and manager/supervisor regarding employee status.
3. Promote early return to work with injured employees.
4. Utilize organization's forms to communicate status of employee.
5. Explain any temporary work restrictions to the employee, RTW coordinator and claims adjuster, along with clarification of what the employee can do.

VI. PROCEDURES

A successful RTW program involves having a formal documented procedure of the process. In determining the procedures, Clarion-Limestone Area School District has tailored procedures to fit our organization's standards.

A. Post-injury Procedure

1. Immediately following an injury:
 - Send employee for medical treatment to an approved medical provider, where allowed by law.
 - Complete an accident investigation form.
 - Report the claim online within 24 hours, so handling of the claim can begin in a timely manner.
 - Contact the Return-to-Work Coordinator, (Business Manager), and forward the accident investigation documents.
2. Provide an informational Packet to the physician's office at the time of the initial visit. The prepared packet should include:
 - Letter to the treating doctor explaining the return to work program, providing carrier information and identifying an employer contact.
 - Description of the injured worker's regular job, including job duties.
 - Physician's Return-to-Work Status (Return-to-Work Capabilities) Form. It is critical to know the work restrictions that may be placed on an injured worker by the physicians.

B. Temporary, Transitional Work Job Assignment

1. The Return-to-Work Status Form should immediately be sent to, emailed/faxed to the Return-to-Work Coordinator, (Brenda Reitz, breitz@clasd.net, (814)764-5729) for review and placement determination.
2. The RTW Coordinator & Supervisor will review restrictions and review the temporary, transitional work assignment.
3. Once the temporary, transitional work assignment has been determined the employee will be notified.
4. Inform employee of a temporary, transitional work assignment and ask to sign a "Transitional Offer of Employment" agreement.
 - A temporary, transitional work assignment will be determined based on job analysis and the injured worker's work capabilities.
 - The physician will be contacted regarding the position for verification and approval.
 - The employee will be contacted regarding the position via phone and mail.
 - Employee will have 5 days to accept the position.
 - RTW will contact the employee 2 days before the deadline to determine acceptance and provide instructions.
 - Signed acceptance will be given to the RTW Coordinator or Supervisor.

C. Transitional Offer of Employment

1. If the employee refuses to work in the return to work program, temporary disability benefits may not be payable.
2. The employee will be returned to work within the restrictions given by the physician with the first priority being to assign the employee to the same job observing the prescribed restrictions.
3. If the physician determines the employee is not able to perform the temporary, transitional/return to work tasks, the employee will be placed on leave until the appropriate work can be assigned or the restrictions are lifted.

4. Under the RTW Program, Clarion-Limestone Area School District does not intend to create long-term jobs for accommodation of permanent disability. The length of a temporary, transitional work assignment is based on several factors including medical recovery, compliance with medical treatment plan, physician input and availability of work.

D. Monitoring of Temporary, Transitional Work Assignment

1. The supervisor will maintain weekly contact with employees while in temporary, transitional work assignments.
2. The supervisor will monitor the assignments for appropriateness and will contact the RTW Coordinator if there are any issues.
3. The physician, claims adjuster, and any other involved parties will be kept informed if any changes are necessary.
4. The RTW coordinator should evaluate the employee's status on a monthly basis. If the restrictions are of short duration, the RTW Coordinator should evaluate the employee on a bi-weekly basis. The RTW Coordinator should escalate any issues to the appropriate party.

E. Employee Work Hours and Compensation

1. No overtime will be permitted while employee is participating in the early return to work program.
2. Employees eligible to participate in the RTW program will be sent to the physician for re-evaluation of ability to work if they do not personally feel ready to perform the temporary, transitional work assignment.

F. Conclusion of Temporary, Transitional Work Assignments

Temporary, transitional work assignments conclude when one of the following occurs:

1. Upon receipt by Clarion-Limestone Area School District of a medical report stating the employee can return to regular duties.
2. Upon receipt by Clarion-Limestone Area School District of a medical report stating that the employee will be permanently unable to return to the job performed at the time of injury.
3. The termination date specified in the "Transitional Offer of Employment" agreement.

CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: SUPPORT EMPLOYEES

TITLE: UNLAWFUL HARASSMENT

ADOPTED: November 19, 2003

REVISED:

548. UNLAWFUL HARASSMENT	
<p>1. Purpose</p>	<p>The Board strives to provide a safe, positive working climate for its employees. Therefore, it shall be the policy of the district to maintain an employment environment in which harassment in any form is not tolerated.</p>
<p>2. Authority Title VI 42 U.S.C. Sec. 2000e et seq Title IX 20 U.S.C. Sec. 1681</p>	<p>The Board prohibits all forms of unlawful harassment of employees by all district students and staff members, contracted individuals and vendors, and volunteers in the schools. The Board encourages employees who have been harassed to promptly report such incidents to the designated administrators.</p> <p>The Board directs that complaints of harassment shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations. No reprisals nor retaliation shall occur as a result of good faith charges of harassment.</p>
<p>3. Definitions 29 CFR Sec. 1606.8 (a) 62 Fed. Reg. 12033 (March 13, 1997) 66 Fed. Reg. 5512 (Jan. 19, 2001)</p>	<p>For purposes of this policy, harassment of an employee consists of verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, gender, age, disability, sexual orientation or religion when such conduct:</p> <ol style="list-style-type: none"> 1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to perform job functions or creates an intimidating, threatening or abusive work environment. 2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance. 3. Otherwise adversely affects an individual's employment opportunities.

<p>29 CFR Sec. 1604.11 (a)</p>	<p>For purposes of this policy, sexual harassment of an employee shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:</p> <ol style="list-style-type: none"> 1. Acceptance of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature is a term or condition of an individual's continued employment. 2. Submission to or rejection of such conduct is the basis for employment decisions affecting the individual. 3. Such conduct is sufficiently severe, persistent, pervasive that it has the purpose or effect of creating an intimidating, hostile or offensive working environment. <p>Examples of conduct that may constitute sexual harassment include but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes, pin-ups, calendars, objects, graffiti, vulgar statements, abusive language, innuendoes, references to sexual activities, overt sexual conduct, or any conduct that has the effect of unreasonably interfering with a employee's ability to work or creates an intimidating, hostile or offensive learning or working environment.</p>
<p>4. Delegation of Responsibility</p>	<p>The district shall annually inform students, staff, parents/guardians, independent contractors and volunteers that unlawful harassment of employees will not be tolerated, by means of distribution of written policy and publication in handbooks.</p> <p>The district shall provide training for students and staff concerning all aspects of unlawful harassment.</p> <p>Each staff member shall be responsible to maintain a working environment free from all forms of unlawful harassment.</p> <p>Each employee shall be responsible to respect the rights of district staff and to ensure an atmosphere free from all forms of unlawful harassment.</p> <p>The building principal shall be designated to receive harassment complaints. If the building principal is the subject of the complaint, the complainant shall report the complaint directly to the Superintendent or designated administrator.</p>

<p>5. Guidelines</p>	<p>When an employee believes that s/he is being harassed, the employee should immediately inform the harasser that the behavior is unwelcome, offensive or inappropriate. If the unwelcome, offensive or inappropriate behavior continues, the employee shall follow the established complaint procedures.</p> <p><u>Complaint Procedure</u></p> <ol style="list-style-type: none"> 1. An employee shall report a complaint of harassment, orally or in writing, to the building principal or a designated employee, who shall inform the employee of his/her rights and of the complaint process. 2. The building principal immediately shall notify the Superintendent or designated administrator and shall conduct an impartial, thorough and confidential investigation of the alleged harassment. <p>In determining whether alleged conduct constitutes harassment, the totality of the circumstances, nature of the conduct, and context in which the alleged conduct occurred shall be investigated.</p> <ol style="list-style-type: none"> 3. The building principal shall prepare a written report summarizing the investigation and recommending disposition of the complaint. Copies of the report shall be provided to the complainant, the accused, the Superintendent and others directly involved, as appropriate. 4. If the investigation results in a substantiated charge of harassment, the district shall take prompt corrective action to ensure the harassment ceases and will not recur. <p><u>Discipline</u></p> <p>Pol. 317, 417, 517 A substantiated charge against a district staff member shall subject such staff member to disciplinary action, including discharge.</p> <p>Pol. 218, 233 A substantiated charge against a district student shall subject such student to disciplinary action, consistent with the Student Code of Conduct, and may include educational activities and/or counseling.</p> <p>Pol. 317, 417, 517 If it is concluded that an employee has made false accusations, such employee shall be subject to disciplinary action, including termination.</p>
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Appeal Procedure

1. If the complainant or accused is not satisfied with the principal's decision, the employee may file a written appeal to the Superintendent.
2. The Superintendent shall review the initial investigation and report and may also conduct a reasonable investigation. S/He shall prepare a written response to the appeal. Copies of the response shall be provided to the complainant, the accused, building principal and others directly involved, as appropriate.

CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: SUPPORT EMPLOYEES

TITLE: DRUG AND SUBSTANCE
ABUSE

ADOPTED: November 19, 2003

REVISED:

551. DRUG AND SUBSTANCE ABUSE	
<p>1. Purpose</p> <p>P.L. 100-690</p>	<p>The Board recognizes that the misuse of drugs is a serious problem with legal, physical and social implications for the whole school community and is concerned about the problems that may be caused by employees, especially as the use relates to an employee's safety, efficiency and productivity.</p> <p>The primary purpose and justification for any district action will be for the protection of the health, safety and welfare of students, staff and school property.</p>
<p>2. Definitions</p> <p>35 P.S. Sec. 780-101 et seq</p> <p>P.L. 100-690</p>	<p>Drugs - shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act.</p> <p>Conviction - a finding of guilt, including a plea of nolo contendere, or imposition of sentence, or both by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statute.</p> <p>Criminal Drug Statute - a federal or nonfederal criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.</p> <p>Drug-free Workplace - the site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance.</p>
<p>3. Authority</p>	<p>The Board requires that each support employee be given notification that, as a condition of employment, the employee will abide by the terms of this policy and notify the district of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.</p>

<p>SC 527</p> <p>4. Delegation of Responsibility P.L. 101-226 Sec. 5115</p>	<p>An employee convicted of delivery of or possession of a controlled substance with the intent to deliver shall be terminated from his/her employment with the district. An employee who is not terminated from his/her employment must certify that s/he has enrolled in and/or completed a drug abuse assistance or rehabilitation program, as a condition for returning to work.</p> <p>A statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the employee's workplace shall be provided by the Superintendent and shall specify the actions that will be taken against the employee for violation of this policy, up to and including termination and referral for prosecution.</p> <p>In the event that any employee violates this policy by possessing, manufacturing, distributing, dispensing or using any controlled substance, or by being convicted of violating any criminal drug statute, s/he shall be suspended from work immediately until such time that a hearing before the Board is conducted to adjudicate the employee's violation of this policy.</p> <p>Grantors of funds shall be notified within ten (10) days after receiving notice from an employee or receiving actual notice of a conviction.</p> <p>The district shall be responsible for taking action within thirty (30) days of receiving notice, with respect to any convicted employee.</p> <p>The district shall take appropriate personnel action against such an employee, up to and including termination or require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.</p> <p>The district shall maintain a drug-free awareness program for its employees which explains:</p> <ol style="list-style-type: none">1. Dangers of drug abuse in the workplace.2. District's policy of maintaining a drug-free workplace.3. Availability of drug counseling, drug rehabilitation, and employee assistance programs.4. Penalties that may be imposed for drug abuse violations occurring in the workplace.
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<p>School Code 527</p> <p>35 P.S. Sec. 780-101 et seq</p> <p>P.L. 100-690 P.L. 101-226 Sec. 5115</p>	<p>The district shall make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy.</p> <p>The district shall distribute a copy of this policy to all employees.</p>
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