

INDUSTRIAL ACCIDENT/ILLNESS LEAVE

When a certificated employee is absent from his/her duties because of an industrial accident or illness, the following rules shall apply:

1. Allowable leave for any single accident or illness shall be for not less than 60 days during which the schools of the District are in session, or when the employee would otherwise have been performing work for the District in any one school year.
2. Allowable leave shall not accumulate from year to year.
3. Industrial accident or illness leave shall start on the first day of absence.
4. An employee on allowable leave for industrial accident or illness shall be paid such portion of the salary due for any month in which the accident occurs as, when added to the temporary disability indemnity under Division 4 or 4.5 of the Labor Code, will result in a payment to the employee of not more than his/her full salary. (Education Code 44984(d))
5. Industrial accident or illness leave shall be reduced by one day for each day of authorized absence, regardless of a temporary disability indemnity award.
6. When an industrial accident or illness leave overlaps into the next fiscal year, the employee is entitled to only the amount of unused leave due the employee for the same illness or injury. On expiration of allowable leave for an industrial accident or illness leave the employee may use personal illness and injury leave as provided by Education Code 44977, 44978 and 44983. If the employee continues to receive temporary disability indemnity, he/she may elect to take as much of the accumulated sick leave which, when added to his/her temporary disability indemnity, will result in a payment to the employee of not more than the employee's full salary.

During any paid leave of absence the employee may endorse to the District the temporary disability indemnity checks received on account of his/her industrial accident or illness. In those cases, the District will issue appropriate salary warrants for payment of the employee's salary, and shall deduct normal retirement, other authorized contributions, and the temporary disability indemnity, if any, actually paid to and retained by the employee for periods covered by such salary warrants.

Any employee receiving benefits under this leave shall, during periods of injury or illness, remain within the State of California unless the Board of Trustees authorizes travel outside the state.

INDUSTRIAL ACCIDENT/ILLNESS LEAVE (continued)

Legal Reference:

EDUCATION CODE

44984 Required rules for industrial accident and illness leave of absence