

BLOOD BORNE INFECTIOUS CONDITIONS

The Superintendent shall determine on a case-by-case basis the attendance at work of employees known to be infected with a blood borne virus which may be transmitted by body fluids, such as the viruses causing AIDS and hepatitis B. The Superintendent shall seek a recommendation from an advisory committee to assist him/her in making his/her determination. The committee shall be composed of a physician from the public health department and such other individuals as deemed appropriate by the Superintendent. The employee may be excluded from work pending the Superintendent's decision. The privacy rights of the employee involved shall be respected. The number of personnel who are made aware of the employee's condition shall be minimized but shall not serve to jeopardize the safety of the employee or other persons within the work environment. The Superintendent shall adopt regulations setting forth the procedures to be followed to effect this policy.

Additionally, recognizing that there will be persons in the school division infected with such viruses who have not been identified medically, all employees shall be instructed in routine precautions which shall be followed to minimize the exposure of any person to potentially infectious body fluids.

Upon request from a school employee who believes he/she has been involved in a possible exposure-prone incident which may have exposed the employee to the blood or body fluids of a student, the Superintendent shall contact the local Health Director who, upon immediate investigation of the incident, shall determine if a potentially harmful exposure has occurred and make recommendations based upon all information available to him/her, regarding how the employee can reduce any risks from such exposure.

The Superintendent shall share these recommendations with the school employee.

The Superintendent and the school employee shall not divulge any information provided by the local Health Department Director regarding the student and/or employee involved. The information provided by the local Health Director shall be subject to any applicable confidentiality requirements set forth in the Code of Virginia.

Adopted: July 1, 1993
 Amended: July 28, 1997, May 27, 2004
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Legal Ref.: Occupational Exposure to Bloodborne Pathogens, U. S. Department of Labor, Occupational Safety and Health Administration, 29 CFR Part 1910.1030
 Code of Virginia, 1950, as amended, Sections 22.1-271.3; 32.1-35 et seq.

Cross Ref.: [EBAB, Possible Exposure to Viral Infections](#)
 JHCC, ~~—~~Communicable Diseases
 GBE, ~~—~~Staff Health

PROCEDURES FOR EMPLOYEES WITH BLOOD BORNE INFECTIOUS CONDITIONS

The following procedure will be utilized in determining the attendance at work of any employee known to be infected with a blood borne virus which may be transmitted by body fluids, such as the viruses causing AIDS and hepatitis B. Each such determination will be made on a case-by-case basis. This procedure will not apply to persons suffering from common childhood conditions such as measles, chicken pox, impetigo, strep throat, scarlet fever, head lice, etc.

1. The Superintendent will establish a review committee composed of the Director of the Thomas Jefferson Health District or a public health physician designated by the Health District Director, the employee's treating physician, and the Director of Human Resources. After reviewing all pertinent information regarding the employee and consulting with the employee and such other individuals as the review committee shall deem necessary, the review committee shall make a recommendation to the Superintendent regarding the employee's attendance at work. The review committee may make such further recommendations as it deems appropriate.
2. Decisions regarding employment and working conditions of employees with blood borne infectious conditions should be based upon the employee's work assignments and whether they are likely to expose other workers and students to open skin lesions, mucous membranes or other body secretions. In each case, risks and benefits to both the infected employee and to others in the workplace should be weighed.
3. The review committee shall confer within fourteen (14) calendar days of being established and shall make its recommendation to the Superintendent as soon thereafter as practical. The Superintendent will notify the employee of his/her decision within five (5) working days after receiving the review committee's recommendation. The employee may appeal the Superintendent's decision to the School Board. The request for such appeal must be submitted to the Superintendent in writing within ten (10) calendar days of the date of the Superintendent's decision. Failure to request an appeal within the specified time will constitute a waiver of the right to an appeal to the School Board.
4. The employee's status will be re-evaluated based upon a plan for periodic review which the review committee has formulated.
5. The employee may be excluded from work for a period not to exceed twenty (20) working days pending the Superintendent's decision. Sick leave benefits may be used during this period. If the decision is that the employee did not have to be absent from work, all sick leave benefits used during the 20 day period will be returned to the employee.

6. All parties involved shall respect the individual's right to privacy. The number of personnel who are informed of the employee's condition shall be kept at the minimum needed to assure proper care of the employee and to appropriately handle situations in which there is a potential for virus transmission (e.g., bleeding injury).
7. The Director of Human Resources shall assure that a Bloodborne Pathogen Exposure Control Plan is developed and implemented.
8. The Superintendent shall be designated as the contact person for all inquiries related to a staff member who has a blood borne infectious disease. The Superintendent will provide the School Board with periodic updates on the decisions made and information disseminated in accordance with this policy.

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