

## General Personnel

### Temporary Illness or Temporary Incapacity

A temporary illness or temporary incapacity is an illness or other capacity of ill-being that renders an employee physically or mentally unable to perform assigned duties. During such a period, the employee can use accumulated sick leave benefits. However, income received from other sources (worker's compensation, District-paid insurance programs, etc.) will be deducted from the District's compensation liability to the employee. The School Board's intent is that in no case will the employee, who is temporarily disabled, receive more than 100 percent of their gross salary.

Those insurance plans privately purchased by the employee and to which the District does not contribute, are not applicable to this policy.

An illness, incapacity, or any other condition ceases to be a temporary illness or incapacity after: (1) the employee has exhausted all available leave benefits, including any leave benefits provided for in any applicable collective bargaining agreement; and (2) the employee has been absent for more than sixty (60) consecutive work days, regardless of whether the work days occur in the same school year. At that point, such absence may be considered a permanent disability and the Board may begin dismissal proceedings subject to State and federal law, including the Americans with Disabilities Act and the Family and Medical Leave Act. The Board may utilize this paragraph when circumstances strongly suggest that the employee returned to work intermittently in order to avoid this paragraph's application. This paragraph shall not be considered a limitation on the Board's authority to take any action concerning an employee that is authorized by State and federal law.

Any employee may be required to have an examination, at the District's expense, by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervisor to perform health examinations if the examination is job-related and consistent with business necessity.

Please refer to the Contract between the Pekin Community High School District No. 303 Board of Education and recognized bargaining units.

LEGAL REF.: Americans with Disabilities Act, 42 U.S.C. §12102.  
105 ILCS 5/10-22.4, 5/24-12, and 5/24-13.  
Elder v. School Dist. No.127 1/2, 208 N.E.2d 423 (Ill.App. 1st Dist., 1965).  
School District No. 151 v. ISBE, 507 N.E.2d 134 (Ill. App. 1st Dist., 1987).

CROSS REF.: 5:30 (Hiring Process and Criteria)  
5:185 (Family and Medical Leave)  
5:250 (Leaves of Absence)  
5:330 (Sick Days, Vacation, Holidays, and Leaves)

Adopted: November 19, 1996  
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