

North Orange County Regional Occupational Program
INDUSTRIAL ACCIDENT OR ILLNESS LEAVE
ROP AR 4161.11
AR 4261.11
AR 4361.11

AR 4161.11 (a)
AR 4261.11 (a)
AR 4361.11 (a)

Administrative Regulation

All Personnel

An eligible employee shall be entitled to a leave of absence for an industrial accident or illness arising in the course of his/her assigned duties.

For such leave, the employee shall be granted no more than 60 working days in any one fiscal year for the same industrial accident or illness.

Allowable industrial accident or illness leave shall not be accumulated from year to year.

When an employee is absent from his/her duties because of an industrial accident or illness:

1. The leave shall start on the first day of absence.
2. During the period of absence, the employee shall be paid such portion of his/her wage or salary that, when added to the award granted under state workers' compensation laws, will not exceed his/her normal wage or salary.
3. The leave shall be reduced by one day for each day of authorized absence, regardless of an award granted under workers' compensation laws.
4. When the 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.

The insurance carrier will send the temporary disability indemnity checks earned by the employee to the ROP. The ROP will in turn issue the employee appropriate salary warrants for payment of full salary for up to a maximum of 60 working days. Normal retirement and other authorized contributions shall be deducted.

Absence for industrial accident or illness shall not be considered a break in service of the employee. An employee using such leave shall retain all status and benefits to which he/she would otherwise be entitled.

North Orange County Regional Occupational Program
INDUSTRIAL ACCIDENT OR ILLNESS LEAVE
ROP AR 4161.11
AR 4261.11
AR 4361.11

AR 4161.11 (b)
AR 4261.11 (b)
AR 4361.11 (b)

When available industrial accident or illness leave has been exhausted, the employee shall be so notified in writing and shall be offered an opportunity to request any additional paid or unpaid leave available to the employee.

Upon expiration of allowable leave for an industrial accident or illness, the employee may use personal illness and injury leave provided pursuant to Education Code 44977, 44978, 44983, or 45191, as applicable, provided that such leave, when added to any continuing workers' compensation award, does not result in a payment to the employee of more than his/her full wage or salary.

If a classified employee has exhausted all available leaves of absence, paid or unpaid, and is not medically able to resume the duties of his/her position, he/she shall, if not placed in another position, be placed on a reemployment list for a period of 39 months. If he/she becomes medically able to resume duties during the period of reemployment eligibility, he/she shall be employed in a vacant position in the class of his/her previous assignment over all other candidates except those on a reemployment list established because of lack of work or lack of funds, in which case the employee shall be listed in accordance with seniority regulations. If the employee is medically released to return to duty but fails to accept an appropriate assignment, he/she will be dismissed.