

**Sweetwater Union High School District
Proposal to
Sweetwater Education Association/CTA/NEA**

July 19, 2013

ARTICLE 23

MODIFIED DUTY/LIGHT WORK PROGRAM

23.1 Definition:

- A. **Modified Work:** "Modified Work" shall be defined as an employee's regular assignment which is temporarily modified by the District to meet the physical restrictions indicated on ~~Form PE-45~~, Appendix I.
- B. **Light Duty Work:** "Light Duty Work" shall be defined as a temporary assignment, different from an employee's regular assignment, offered by the District which meets the temporary physical restrictions.

23.2 When a bargaining unit member has been absent from work on industrial accident leave for any duration, the employee agrees to present his/her principal with a completed Physician's Statement of Temporary Disability/Ability to Work (~~PE-4S~~) form Appendix I, **as provided by the District** before resuming work.

23.3 If ~~the PE-45 form identifies~~ medical restrictions **are identified**, one (1) of the following actions will be required:

- A. If the restrictions are temporary (thirty [30] days or less) and the job duties can be modified to accommodate these restrictions, the principal shall temporarily modify the employee's position and the employee will return to "modified work" on the next duty day.
- B. If the restrictions are temporary (thirty [30] days or less) and, in the opinion of the principal, the employee cannot perform his/her regular assignment with the restrictions, the employee will be placed on "light" duty on the next duty day until such restrictions are lifted by the employee's physician.
- C. Under California Workers' Compensation Law, if medical restrictions are permanent, based on medical evidence, and, after implementing reasonable accommodation, the District determines that the employee can no longer perform the duties of his/her regular assignment, the employee shall be eligible for one (1) of the following:

1. Benefits in accordance with workers compensation laws, if the restrictions are because of a qualified work-related injury;
2. Consideration for transfer to another District job under the provisions of this Agreement; or,
3. Disability retirement as approved by PERS/STRS.

23.4 Employees assigned to either modified work or light duty work shall continue to receive their regular rate of pay, and regular benefits. Modified work or light duty work shall have no impact on an employee's seniority rights or movement on the salary schedule. Employees shall continue to be entitled to all rights and benefits under this Agreement.