

**CERTIFICATED/MANAGEMENT PERSONNEL**Industrial Accident/illness Leave

In addition to any other benefits that an employee may be entitled to under the Workers' Compensation laws of this state, certificated employees shall be entitled to the following benefits:

1. An employee suffering an injury or illness arising out of and in the course and scope of his/her employment shall be entitled to a paid leave of up to sixty (60) days in any one fiscal year for the same accident or illness. Approved industrial accident or illness leave is not deducted from an employee's regular sick leave bank.

This leave shall not be accumulated from year-to-year, and when any leave will overlap a fiscal year, the employee shall be entitled to only that amount remaining at the end of the fiscal year in which the injury or illness occurred.

2. Payment for salary lost on any day shall not, when added to an award granted the employee under the Workers' Compensation laws of this state, exceed the employee's regular salary.

During any paid leave of absence, the employee shall endorse to the Office any Workers' Compensation checks received on account of an industrial accident or illness. The Superintendent or designee shall then issue payment of the employee's normal wage or salary less any appropriate deductions, including, but not limited to, employee retirement contributions. (Education Code 44043)

3. When entitlement to industrial accident or illness leave under this policy has been exhausted, entitlement to other sick leave, vacation or other paid leave may then be used. If, however, the employee is still receiving temporary disability payments under the Workers' Compensation laws of this state at the time of the exhaustion of benefits under this policy, he/she shall be entitled to use only that portion of his/her accumulated and available sick leave which, when added to the Workers' Compensation award, provides for a day's pay at the regular rate of pay.
4. When an employee on industrial accident or illness leave is able to return to work, he/she shall be reinstated in his/her position without loss of pay or benefits.
5. 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.

6. 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.  
(Education Code 45192)

*Legal Reference:*

EDUCATION CODE

*44043 Temporary disability*

*44984 Required rules for industrial accident and illness leaves of absence*

*45192 Industrial accident and illness leave, classified employees*

LABOR CODE

*3200 et seq. Workers' Compensation and Insurance*