

**AMERICAN LIBRARY ASSOCIATION
PERSONNEL POLICY MANUAL**

Item Number 510

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POLICY ON CATASTROPHIC ILLNESS INCLUDING AIDS

Reviewed and
Reissued 6/03

POLICY ON CATASTROPHIC ILLNESS

This policy will apply to all employees with catastrophic illnesses. Catastrophic illness is defined as any acute or prolonged illness that is usually considered to be life threatening or poses the patient with the threat of serious residual disability over an extended period of time.

The Public Health Service's Center for Disease Control has issued guidelines dealing with AIDS in the workplace which state "the kind of non-sexual person-to-person contact that generally occurs among workers and clients or consumers in the workplace does not pose a risk for transmission of AIDS." Therefore, HIV-infected employees shall be allowed to continue working at ALA as long as they are able to maintain acceptable performance and do not pose a safety or health threat to themselves or others in the workplace. This policy will apply to all employees with any catastrophic illness.

AIDS AND OTHER CATASTROPHIC ILLNESSES

There is no medical basis for employees to refuse to work with fellow workers who are infected with the HIV virus. Concerns of these employees will be given consideration and will be addressed with appropriate education, information, and counseling.

A. Employee's Ability to Work

The victim of any catastrophic illness may develop a variety of immunological or neurological medical conditions. A concern may arise as to whether the employee, given the medical condition, can perform the duties of the position in a safe and reliable manner. This concern will typically arise at a point when the victim of a catastrophic illness suffers health problems which affect his/her ability to report for duty or perform. It is the primary responsibility of the employee to produce medical documentation regarding the

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extent to which a medical condition is affecting availability for duty or job performance.

B. Privacy and Confidentiality

Because of the nature of all catastrophic illnesses, affected employees will have concerns over confidentiality and privacy in connection with their protected health information (PHI). Any PHI submitted to ALA for the purposes of an employment decision will be maintained in a separate confidential medical file and will not become a part of the employee's personnel file.

C. Changes in Work Assignments

In considering changes in work assignments, ALA will observe established Personnel policies and practices governing qualification requirements, internal placement, and other staffing requirements. In considering job restructuring, reassignments, or flexible scheduling for employees with catastrophic illnesses, including AIDS, the Association will follow the prescribed procedures set forth for employees with other medical conditions.

D. Employee Conduct

Occasionally, situations may arise where fellow employees express reluctance or threaten refusal to work with employees having catastrophic illnesses, including AIDS. Such reluctance is often based upon misinformation or lack of information about specific illnesses. There are, however, no known risks of transmission of HIV through normal workplace contacts, according to leading

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medical research. ALA, nevertheless, recognizes that the presence of such fears, if unaddressed in an appropriate and timely manner, can be disruptive to the Association. It is the Association's intent to deal with potentially disruptive situations with information, education, and counseling. However, in situations where such measures do not resolve the problem and where management determines that an employee's unwarranted threat or refusal to work with certain employees is impeding or disrupting the Association's work, appropriate corrective action against the threatening and/or disruptive employee will be taken.

E. Leave Administration

Employees suffering from catastrophic illnesses, including AIDS, who are unable to maintain an acceptable level of performance or who are found to pose a safety or health threat to themselves or others in the workplace may request leave in accordance with the ALA's FMLA Policy (See Policy No. 306.1), and may request an additional leave of absence without pay to pursue medical treatment or to recuperate from the ill effects of their medical condition. In these situations, ALA will consider the request for additional leave in the same manner and under the same standards as it applies for all employees who are medically incapacitated.

F. Long Term Disability

When an employee is disabled due to a catastrophic illness, including AIDS, and it is anticipated that his/her disability will extend beyond six (6) months, he/she may make application for benefits under the Long Term Disability Plan with TIAA-CREF and Social Security benefits. Benefits are payable the first day of the month following 6 months of continuous disability.

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G. Medical Insurance

Employees with catastrophic illnesses, including AIDS, can continue their medical coverage under ALA's existing benefit plans in the same manner as other employees. (See Policy Nos. 306.1 and 405.)

H. Life Insurance

Employees with catastrophic illnesses, including AIDS, can continue to be insured under the CNA Group Life Insurance as long as the individual is disabled.