

**Category**
**Approval**

Series 700: Personnel

Effective	Administration	Board
2/22/10	12/4/09	2/22/10
Revised	For Review	
8/25/25	2029	

**EMPLOYEE COMMUNICABLE DISEASES**
**MTC 741**

The Mitchell Technical College recognizes its responsibility to provide a clean, safe, and healthy working environment for each of its employees. We also recognize that, when working closely together in a social community such as a college, employees may be exposed to a variety of communicable diseases, which may affect their personal health or the health of fellow employees. With the intent being to protect the health of every employee, and to allow and encourage a continuous work experience for all staff members, the following procedures will be utilized in determining the continuing employability of an infected employee.

Once a physician has determined that an employee has been infected with a communicable disease, a decision as to the continued employment or exclusion from work activities will be made by the employee's administrator or designee. Each case will be addressed on an individual basis by the responsible administrator utilizing professional medical advice as is deemed to be necessary including, but not limited to, the South Dakota Department of Health.

In situations where the decision requires additional skill and knowledge, the administrator will refer the case to an advisory committee for assistance in determining the proper course of action. The administrator or designee will be responsible for establishing the advisory committee, which will include the following:

- 1) the administrator or designee
- 2) the President or designee

The advisory committee, at the option of the above-named people, may also include the following:

- 1) representation from the State Department of Health
- 2) the employee's personal physician
- 3) the employee and/or representation
- 4) other appropriate medical personnel as deemed necessary

The advisory committee shall consider the following in its deliberations:

- 1) the type and severity of communicable disease
- 2) the potential risk to the infected employee, students, and other staff members
- 3) the expected type(s) of interaction with others in the school setting
- 4) the physical condition of the school employee

The advisory committee may officially request assistance and a recommendation from the South Dakota Department of Health.

If the employment of an infected employee is to be interrupted or discontinued, the employee will be entitled to use available medical leave and receive established benefits.

Health data regarding employees is private data and will not be disseminated to the public without strict observance of privacy rights as per the 1974 Family Education Rights and Privacy Act (FERPA) and the 1996 Health Insurance Portability and Accountability Act (HIPAA).

If an infected employee is permitted to remain in the educational setting, information regarding the employee's medical condition and other factors needed for consideration in carrying out assigned job responsibilities will be provided, as appropriate, to College employees who have contact with the individual (SDCL 1-27-3).

Staff members assigned to work with an employee suspected of being infected with a communicable disease, or those having a confirmed infection, will be given instruction in the handling of blood and body fluids. At all times, in handling and working with suspected or infected employees, staff members so assigned will observe recommended personal hygiene measures in order to create and maintain a healthy environment.

LEGAL REFS: SDCL 1-27-3

6/26/17 – Remove legal reference to SDCL13-43-3 which has been repealed. Removed outdated medical reference citation.

8/25/25 – Removed work attendance guidelines applicable to specific communicable diseases.