

MEMORADUM OF UNDERSTANDING
BETWEEN
EL CAMINO COMMUNITY COLLEGE DISTRICT
AND
EL CAMINO COLLEGE FEDERATION OF TEACHERS,
LOCAL 1388, AFT, AFL-CIO

This Memorandum of Understanding ("MOU") is entered into between the El Camino Community College District ("District") and the El Camino College Federation of Teachers, Local 1388, AFT, AFL-CIO ("Federation") regarding Tuberculosis Examination for faculty employed by El Camino Community College District. This MOU is intended to implement the provisions of Education Code section 87408.6 which were changed due to the passing of SB 1038 replacing skin injection with a less invasive process called "TB Risk Assessment". The update to the language in Article 21, Section 9 is mutually agreed upon as follows:

Section 9. Tuberculosis Examination

(a) A TB Risk Assessment is required of each faculty every four (4) years and the certificate of completion form shall be filed with Human Resources. A risk assessment is a questionnaire that is completed by the employee and certified by a trained medical professional who can identify adults with infectious tuberculosis without the use of an injection or a follow-up exam. If there are no risk factors identified during the TB Assessment, the certificate of completion form is filled with Human Resources and the individual will not be required to do another TB Risk Assessment for four (4) years.

(b) Faculty who have had a previously documented positive TB test and have completed a chest X-ray showing no active tuberculosis will need to bring a copy of their most recent chest X-ray to the College Health Center or their personal physician when they are due for their next tuberculosis exam. The medical professional will review the TB Risk Assessment and review the chest X-ray. Once cleared, individuals will no longer be required to undergo tuberculosis test, assessment, or chest X-ray for the duration of their employment at El Camino College. The cost of the examination shall be paid by the District, providing that it is administered by the College Health Center or medical center retained by the District for this purpose. A certificate of completion shall be filed with Human Resources.

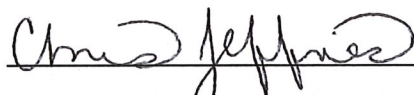
(c) If risk factors are present during the TB Risk Assessment, a tuberculin test shall be required to determine if employee is free of active tuberculosis.

(d) If a tuberculin skin test of a faculty shows a "positive" reaction, the faculty shall be required to have a chest X-ray examination to determine if employee is free of active tuberculosis. The cost of the skin test, chest x-ray and TB Risk Assessment shall be paid by the District, providing that it is administered by the El Camino Community College Health Center or medical center retained by the District for this purpose.

(e) If the examination results in a finding that the faculty is suspected of having active tuberculosis, the faculty shall be immediately released of all duties, granted any paid leave benefits to which they may be entitled under Article 11, and shall be reinstated only after conclusive evidence is presented that the faculty is free of active tuberculosis.

(f) A faculty who adheres to the faith or teachings of any well-recognized religious sect, denomination or organization, and in accordance with its creed, tenets, or principals, depends for healing upon prayer in the practice of religion, shall complete a TB Risk Assessment every four (4) years and the certificated of completion form shall be filed with Human Resources. The TB Risk Assessment is to be completed by the employee and certified by a trained medical professional. In the event that the medical professional recommends the use of a TB test conflicting with the faculty's religious beliefs and the faculty believes that the active tuberculosis is not present, the faculty may request an examination hearing be held before the Board of Trustees. Education Code 87408.6 will be used by the Board of Trustees to reach a resolution.

For the Federation:



Chris Jeffries, President
El Camino College Federation of Teachers,
Local 1388

For the District:



Jane Miyashiro, Vice President Human Resources
El Camino Community College District

Dated: December 19, 2017