

## **CHAPTER 33-06-05.3**

### **EMPLOYEES WITH SIGNIFICANT CONTAGIOUS DISEASES**

#### Section

- 33-06-05.3-01 Standards for Employment
- 33-06-05.3-02 Confidentiality
- 33-06-05.3-03 Reasonable Accommodations

#### **33-06-05.3-01. Standards for employment.**

No employee or potential employee may be terminated or prevented from becoming employed at the institution solely because they have or they are perceived to have a significant contagious disease. If the employee is well enough to perform their job and does not constitute a public health threat to others, as determined by a personal physician, the employee must be permitted to perform the duties.

**History:** Effective January 1, 1991.

**General Authority:** NDCC 23-07-16.1

**Law Implemented:** NDCC 14-02.4, 23-01-03, 23-07-16, 23-07-16.1

#### **33-06-05.3-02. Confidentiality.**

Unless disclosed by the affected person, or their personal physician, no disclosure of an affected individual's condition may be made. In order to eliminate discrimination, the local governing body should develop policies concerning the comprehensive application of universal precautions throughout the institution.

**History:** Effective January 1, 1991.

**General Authority:** NDCC 23-07-16.1

**Law Implemented:** NDCC 23-01-03, 23-07-16, 23-07-16.1

#### **33-06-05.3-03. Reasonable accommodations.**

The institution shall consider and implement reasonable accommodations to allow the affected individual to become an employee or continue as an employee.

**History:** Effective January 1, 1991.

**General Authority:** NDCC 23-07-16.1

**Law Implemented:** NDCC 14-02.4; 29 USC 794