

Can a supervisor refuse to permit an employee who is ill to go home or to seek medical attention?

As barbaric as it may seem, EAN members have reported incidents of building administrators telling sick employees that they must remain on the job, no matter how incapacitated they might be. Reprimands have been threatened or issued when employees have left school after telling supervisors they were too ill to continue. Fortunately, EAN has been able to intervene to head off the reprimands or to file successful grievances to overturn the reprimands.



It is not the place of an administrator to judge an employee's medical condition. The medical consequences of delay in treatment may be severe, including the possibility of permanent disability or death.

Even if an administrator feels an employee's statement of needing relief for a medical condition lacks legitimacy, the proper



Spotlight on Policy

course of action is to do whatever possible to assist the employee in getting help or relief. At a later and appropriate time, the administrator may choose to initiate disciplinary action for which the employee has the due process right to be heard. **In any case, an employee is not insubordinate to proceed to secure medical relief or assistance and the leave is to be considered authorized *de facto*.**

Any administrative action that impedes the employee's access to needed relief or assistance is outside the bounds of reasonable exercise of authority. It poses serious risk to the employee's health. It violates the employee's rights. It also invites the possibility of civil litigation with attendant negative publicity for Norfolk Public Schools.