

# Asheville-Buncombe Technical Community College

# (A-B Tech) Procedure

# Procedure 512.01: Communicable Disease and Occupational Exposure to Bloodborne Pathogens

1. All information and records that identify a person as having a communicable disease shall be strictly confidential.
2. Disclosure of medical information shall be made by the President only to those on a need-to-know basis to protect the welfare of persons infected with a communicable disease or the welfare of other members of the College community.
3. Unauthorized disclosure of medical information by an employee of the College is prohibited. Violation of this prohibition may result in the suspension from or termination of employment.
4. A person who knows, or has a reasonable basis for believing, that they are infected with a communicable disease is expected to seek expert advice about their health circumstances and are obligated, ethically and legally, to conduct themselves responsibly toward other members of the College community.
5. Faculty and staff of the College and employees of contractors or contracted services who are infected with a communicable disease are urged to notify the appropriate Dean/Director so that the College can respond appropriately to their health needs. Deans/Directors must notify Human Resources if such a notification is communicated by an employee. Students are urged to share information with the appropriate Dean/Director for the same reason.
6. A person infected with a communicable disease (including the AIDS virus whether active AIDS, AIDS-Related Complex, or zero positive to virus) will not be excluded from enrollment or employment or restricted in their access to the College’s services or facilities unless, in individual cases, the College administration determines that exclusion or other restrictions are necessary for the health and welfare of others at the College.
7. Included in making decisions in individual cases which restrict access to enrollment or employment shall be the College President, the College Attorney, Human Resources, the Deans/Directors, the individual’s personal physician, the local Health Director (or designee) and if necessary, another physician with expertise in managing communicable disease cases.
8. The College shall communicate the most current information regarding communicable diseases, especially AIDS.

## Public Health Incidents

Should influenza, or any other communicable disease, reach an epidemic level, the President shall regularly monitor the situation by communicating with federal, state and/or local health officials and by reviewing media sources.

Should any communicable disease reach an epidemic level within or near the College’s service area, the President, after consulting with local, state or federal health officials, may take the following actions if it is determined to be in the best interest of the College community to prevent the spread of the communicable disease:

1. Close the College or certain College buildings and/or programs temporarily (See Procedure 304: Closing, Delays and Dismissals for Inclement Weather or Emergency Situations).
2. Limit or prohibit employee travel and/or student field trips.
3. Prohibit those infected with a communicable disease from coming onto the College campus.
4. To the extent allowed by law, requiring or encouraging employees and students to receive immunizations (not already required by the College) that prevent the spread of a communicable disease before coming back onto the College campus.
5. Other specific actions deemed necessary for the safety of the College community.
6. Allow exceptions to the Teleworking Procedure and the Faculty Work Hours Procedure to allow flexibility in eligibility requirements as deemed appropriate by the President.
7. Implement additional leave options available by law, College Policy or Board of Trustees directive.
8. The President may allow exceptions to the Sick and Vacation Leave Procedure 507 that will enable employees to use advanced leave for a reasonable amount of time if the College determines the work situation will allow. Under this exception, the College can allow up to 24 months from the occurrence of the absence to make up the time without penalty.
9. The President may allow exceptions to the Community Service Leave Procedure 507 that will allow employees to use up to 160 additional hours of Community Service Leave for employees who are willing to volunteer in support the epidemic relief efforts with their immediate supervisor’s approval.
10. During any period of implementation of this Policy, the President may authorize the accrual of additional earned leave for part-time employees consistent with guidelines for state agency employees.
11. The President or applicable Senior Administrator may designate employees as Critical Employees or Non-Critical Employees in order to ensure vital operations continue during a public health incident.

The President shall not quarantine or isolate any student or employee while on campus unless the quarantine is ordered due to guidance from local, state or federal health officials. Persons who are infected with a communicable disease that has reached an epidemic level, or know of someone in the College community who is infected, should contact College officials immediately following the current reporting protocols.

Any actions undertaken pursuant to this policy will be in accordance with applicable federal and state laws, College policies, and in the best interest of all parties.

## Occupational Exposure to Bloodborne Pathogens

The College shall comply with federal regulations and state statutes regarding bloodborne pathogens as set forth in the Federal Register, 29 CFR §1910.1030, and the North Carolina Administrative Code, 10A NCAC 41A, by attempting to limit/prevent occupational exposure of employees to blood or other potentially infectious bodily fluids and materials that may transmit bloodborne pathogens and lead to disease or death.

**Reasonably Anticipated Occupational Exposure:** An employee who could "reasonably anticipate”, as a result of performing required job duties, to face contact with blood, bodily fluids or other potentially infectious materials is covered by the OSHA Bloodborne Pathogens Standard, the North Carolina Administrative Code, and this Policy. "Occupational Exposure" includes any reasonably anticipated skin, eye, mucous membrane or parenteral (brought into the body through some way other than the digestive tract) contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. "Good Samaritan" acts, such as assisting a co-worker or student with a nosebleed would not be considered "reasonably anticipated occupational exposure.”

**Universal Precautions:** Universal precautions will be in force at all times. All blood, body fluid and other potentially infectious material will be handled as if infected. The program standards for the control of potential exposure to HIV and HBV as outlined in the OSHA Rule "Occupational Exposure to Bloodborne Pathogens" Standard 1910.1030, the NC Administrative Codes, or the most current standards available will be followed.

**Testing:** An employee who suspects that they have had exposure to blood or body fluid may request to be tested, at the College’s expense, provided that the suspected exposure poses a significant risk of transmission, as defined in the rules of the Commission for Health Services. The HIV and HBV testing of a person who is the source of an exposure that poses a significant risk of transmission will be conducted in accordance with 10A NC Administrative Code 41A .0202 (4) (HIV) and 41A .0203(b)(3) (HBV). The College will strictly adhere to existing confidentiality rules and laws regarding employees with communicable diseases, including HIV or HIV-associated conditions.

**Exposure Control Compliance:** The College shall comply with OSHA Regulation 29 CFR 1910.1030 and promote a healthy and safe environment for both employees and students. The College proposes to do this through minimizing the risk of transmission of infectious diseases that are blood or body fluid borne. To achieve compliance with OSHA Regulation 29 CFR 1910.1030, the College will maintain an Exposure Control Plan covering the following areas:

1. Procedures,
2. Protective equipment,
3. Hepatitis vaccinations,
4. Post-exposure and follow-up care, and
5. Training.

## Definitions/Clarifications:

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**Critical Employees –** Employees who are determined by the President or applicable Senior Administrator as critical to the operation of the College in emergency situations. These positions may include but are not limited to employees in plant operations, campus police/security, and information technology, and/or employees whose work must be performed to meet time-sensitive deadlines or legal requirements. Critical employees may be identified under individual or unique situations and are required to physically report to campus to work during emergency situations.

**Non-Critical Employees –** Employees who have not been identified as critical to the operation of the College during emergency situations. Non-critical employees will continue to be assigned work and may be expected to telework if feasible given the nature of their position duties.

## See Also:

Procedure 507: Pandemic Emergency Leave

Pursuant to Board policy, Chapter 500, Section 512.01, this procedure must be followed when dealing with communicable disease and occupational exposure to bloodborne pathogens at the College.

Owner: Executive Director, Human Resources and Organizational Development

Updated: March 3, 2021