

Fitness for Duty

1030.1 PURPOSE AND SCOPE

This policy establishes employee responsibilities, supervisor responsibilities and guidelines for fitness-for-duty evaluations. All officers are expected to be physically, emotionally and mentally fit for duty and able to perform their peace officer powers in a safe, productive and effective manner. This policy does not apply to evaluations related to substance abuse concerns.

1030.2 EMPLOYEE RESPONSIBILITIES

It shall be the responsibility of each Department employee to be physically, emotionally and mentally fit sufficient to safely, and effectively perform the essential duties of their job description.

- a. Each member of this Department shall perform his/her respective duties without physical, emotional and/or mental constraints.
- b. During working hours, all employees are required to be alert, attentive and capable of performing their assigned responsibilities.
- c. Any employee who feels unable to perform his/her duties shall promptly notify a supervisor.
- d. In the event an employee believes that another employee is unable to perform their duties, such observations and/or belief shall be promptly reported to a supervisor.
- e. Any employee who is taking medication that may impact their ability to perform the essential functions of their job shall notify a supervisor prior to working.

1030.3 SUPERVISOR RESPONSIBILITIES

A supervisor observing an employee or receiving a report of an employee who is perceived to be unable to safely perform his/her duties due to a physical or mental condition shall take prompt and appropriate action in an effort to address the situation.

- a. Whenever feasible, the supervisor should make a preliminary determination of the level of inability of the employee to perform the essential duties required of the job.
- b. In the event the employee appears to be in need of immediate medical and/or mental treatment, all reasonable efforts should be made to obtain sufficient information regarding the nature of the concern to enable the Department to assess options and react responsibly to assure the safety of the employee, other members of the Department and the public while complying with the employee's legal rights.
- c. In conjunction with the employee's chain of command, a determination should be made whether or not the employee should be temporarily relieved from his/her duties.
- d. The Chief of Police shall be promptly notified in the event any employee is relieved from duty.

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1030.4 RELIEF FROM DUTY

Any employee suffering from a work or non-work related condition which warrants a temporary relief from duty may be entitled to be placed on family medical leave under state and/or federal law. Consult with Human Resources to assure proper notification and compliance with family medical leave rights. Employees who are relieved from duty for medical reasons may be eligible for Workers' Compensation payments or may be required to use sick leave or other paid time off consistent with applicable policies.

Any employee suffering from a work related condition which warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

1030.5 MEDICAL EXAMINATIONS

The Department has the right to require a medical examination (physical and psychological) provided the examination is job related and consistent with business necessity.

- a. The Department may require an employee to undergo a fitness-for-duty medical examination whenever circumstances reasonably indicate that the employee may not be able to effectively perform the essential functions of their job or the employee may pose a risk to the safety of him/herself or others. This order shall come from the Chief of Police, or designee, and shall indicate the date, time and place for the examination.
- b. The scope of the examination shall be confined to the physical or psychological condition that prompted the need for the examination.
- c. In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.
- d. The examining health care provider will provide the Department with a report as to whether the employee is able to perform the essential functions of the job in a safe, productive and effective manner, any recommendations that may enable the employee to perform his/her job and any conditions for return to work.
- e. Any employee ordered to receive a fitness-for-duty medical examination shall comply with the terms of the order and cooperate fully with the examining physician/therapist regarding any clinical interview, administered test, or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician/therapist may be deemed insubordination and may be subject to discipline up to and including termination.
- f. Pending the results of the medical evaluation, the employee may be relieved of certain duties, assigned different duties, or relieved from duty under appropriate leave status.

1030.6 RESULTS OF THE EXAMINATION

If an employee has been deemed fit-for-duty by the examining health care provider, the Chief of Police, or designee, will notify the employee of the results and when to resume their duties.

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If the health care provider finds the employee cannot perform the essential functions of their job, the Department and Human Resources will engage in an interactive process with the employee in compliance with applicable laws to determine if and when the employee may be returned to work.

1030.7 APPEALS

An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness-for-duty examination shall be entitled to an administrative appeal as outlined in their collective bargaining contract.