**SECTION: SAFETY AND HEALTH**

**POLICY:** Health and Medical Exams / **EFFECTIVE DATE:** insert date adopted

Fitness for Duty

**STATEMENT OF PURPOSE:**

The purpose of this policy is to ensure the health, safety, and welfare of all City employees and the community by monitoring the fitness of employees to perform the essential functions of their jobs. This policy outlines the procedures for identifying and evaluating physical or psychological conditions that may impact an employee’s ability to perform their duties safely and effectively.

This policy applies to all employees of the City, including both sworn and non-sworn members of all departments. It is applicable in circumstances where there is a reasonable concern about an employee’s ability to perform essential job functions due to a physical or psychological condition or impairment.

**DEFINITIONS:**

1. Fitness for Duty Examination (FFDE): A formal medical or psychological evaluation conducted to determine whether an employee is able to effectively perform essential job functions.
2. Objective Basis: Evidence based on direct observation or other reliable sources, not speculation.
3. Direct Threat: A significant risk of substantial harm to the health or safety of the individual or others.
4. Impairment Indicators: Behaviors or conditions suggesting possible inability to perform duties, including abrupt behavior changes, irrational conduct, instability, substance misuse, poor judgment, or emotional dysregulation.
5. Confidential Medical File: A secure file containing reports and records related to an employee’s medical or psychological evaluation, maintained in compliance with applicable privacy laws.

**PROCEDURES:**

1. Monitoring Fitness for Duty
   1. Employees are responsible for maintaining physical and psychological fitness to perform their essential job duties.
   2. An employee must notify their supervisor if they are unable to perform their duties due to a condition or impairment.
   3. Employees who observe another employee struggling with their duties must report their concerns to supervision.
2. Supervisor Responsibilities
3. Supervisors must monitor for signs of possible impairment and maintain confidentiality.
4. Observable indicators include behavioral changes, substance misuse, expressions of instability, poor judgment, or other concerning patterns.
5. Supervisors must document observations and meet with the employee to discuss concerns.
6. If concerns are unresolved, the supervisor shall escalate the issue through the chain of command for a preliminary determination of duty status.
7. Relief from Duty
   1. If a supervisor has just cause to believe an employee is unfit for duty, the employee may be temporarily relieved pending further evaluation.
   2. The Director or designee must be notified immediately and a written report submitted.
   3. Employees relieved from duty must follow administrative leave policies outlined by the City and the Department.
8. FFDE for Non-Sworn Personnel
   1. Directors, in coordination with Human Resources, may refer non-sworn employees for FFDE.
   2. Examinations are conducted by the employee’s selected healthcare provider.
   3. The examiner will submit a report to the Department indicating fitness for duty and any applicable restrictions.
   4. If necessary, a second opinion may be sought if there is disagreement with the initial assessment. The second opinion will be the final determination.
9. FFDE for Sworn Personnel
   1. The FFDE process for sworn employees (e.g., peace officers) follows applicable local government code sections, as well as civil service orapplicable agreements.
   2. The process includes notification, evaluation by a healthcare professional, and provision of documentation to support findings.
   3. A second opinion may be requested if there is disagreement with the initial assessment, with final decisions made according to governing rules.
10. Evaluation Standards
    1. Examinations must meet ethical and professional standards such as those outlined by the American Psychological Association.
    2. Examiners should use multiple data sources (e.g., job performance records, internal affairs reports, medical history) to ensure reliable findings.
    3. All information gathered must be relevant to job performance or the suspected job-impairing condition.
11. Compliance and Consequences
    1. Employees must comply fully with any FFDE ordered by the City.
    2. Failure to cooperate may be deemed insubordination and may result in disciplinary action up to and including termination.
    3. Final duty status decisions will be made in consultation with Human Resources.
12. Appeals
    1. Employees may file a grievance if they believe the policy was misapplied or misinterpreted, following the City’s established grievance procedures.