


Policy Title:		Fitness for Duty	
	OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER	Category	Fitness for Duty
		Administrative Policy #	
		Revision #	
		Review Frequency	As Needed – no less frequently than triennially
Administrative Division	Human Resources	Reviewed By	Chief Administrative Officer, General Counsel, Human Resources Director
BOWC Approval		Last Reviewed/Update Date	
Implementation Date			

## 1. OBJECTIVE

- 1.1. This policy establishes guidelines to ensure employees are fit for duty, including physical and/or psychological examinations for Detroit Water and Sewerage Department (DWSD) employees.

## 2. PURPOSE

- 2.1. The policies and procedures in this document establish the standards DWSD employees are expected to meet to be determined physically and/or psychologically fit for duty without reasonable accommodations.

## 3. DEFINITIONS

“Fit for Duty” means an employee is able to perform essential job functions with or without reasonable accommodation.

“Management” means DWSD employees, including members of Executive Management, who exercise management authority and responsibility in each division for work groups, supervisors, and/or employees.

“Reasonable Suspicion” means a belief, based on objective facts, sufficient to lead management to suspect that an employee’s ability to perform essential job functions is impaired.

## 4. SCOPE

- 4.1. This policy applies to all DWSD full-time and other persons who are employed at DWSD.

## 5. RESPONSIBILITIES

### 5.1. Human Resources Director

- 5.1.1. The Human Resources Director publishes this policy; communicates this policy to all employees; reviews, approves and publishes divisional standards; updates this policy as necessary, and refers employees to the EAP.
- 5.1.2. The Human Resources Director, or delegate, is responsible for interpreting and enforcing this policy.

## **5.2. Management**

- 5.2.1. Management should be familiar with, understand, and act in full compliance with this policy.
- 5.2.2. Management monitors the work environment and immediately addresses reasonable suspicion according to the terms of this policy.

## **5.3. Employee**

- 5.3.1. Employees should be familiar with, understand, and act in full compliance with this policy.
- 5.3.2. Employees should immediately notify a supervisor or manager or a member of Management if they have witnessed any employee who does not appear fit for duty.
- 5.3.3. Employees are expected to discuss any circumstances that may impact their ability to perform job functions with their supervisor prior to the start of their shift. New DWSD employees are expected to discuss circumstances that may impact their ability to perform job functions within their first 30 days of employment.

## **6. POLICY**

- 6.1. DWSD reserves the right to require a professional evaluation of an employee's physical or psychological capabilities to assess their ability to:
  - 6.1.1. Perform essential job functions; or
  - 6.1.2. When there is reasonable belief that the employee poses a direct threat to his or her own safety or the safety of others.
- 6.2. A Fitness for Duty examination will be ordered for, but not limited to, the following circumstances:
  - 6.2.1. Exhibiting irrational behavior
  - 6.2.2. Illness
  - 6.2.3. Injury
  - 6.2.4. Return to work from an FMLA leave, injury or illness
  - 6.2.5. Accident
  - 6.2.6. Perceived inability to perform essential functions of the job
- 6.3. Management should immediately contact Human Resources for assistance if they have reasonable, fact-based suspicion of a situation that could ultimately endanger the employee, co-workers or the general public.
- 6.4. A refusal to voluntarily submit to a physical/psychological evaluation may require DWSD to exercise its right to process a leave of absence or terminate employment. The employee will be subject to disciplinary action up to and including immediate termination.

## **7. PROCEDURE**

- 7.1. If management suspects that an employee is not fit for duty, he or she should immediately contact Human Resources for assistance with evaluation of the situation.
- 7.2. Management should provide Human Resources with documentation including any witness statements describing the behaviors that caused reasonable suspicion. Human Resources will conduct an investigation based upon the information provided and either approve or deny the request for an evaluation.
- 7.3. Human Resources will determine whether it is necessary for the employee to be immediately released from continuing their job responsibilities.
- 7.4. The employee may be directed to voluntarily submit to an evaluation conducted by a licensed professional paid for by DWSD. Human Resources will notify employee of the physical/psychological evaluation and will obtain employee's consent for evaluation prior to the appointment.
- 7.5. If necessary, Management and/or Human Resources will arrange for employee's transportation to the nearest facility for evaluation as well as his or her commute home.
- 7.6. Based on the evaluation, the employee will be deemed fit for duty or not fit for duty.
  - 7.6.1. Should the recommendation be that the employee is fit for duty, the employee may return to work.
  - 7.6.2. Should the recommendation be that the employee is not fit for duty, the employee will be required to take leave in accordance with policy and/or face disciplinary action. Refer to corresponding policy for more information.