



CITY OF WATAUGA – PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL

POLICY TITLE	Fitness for Duty
INITIAL EFFECTIVE DATE	May 23, 2016
LAST REVISION DATE	Replaces <i>Section 13.10</i>, of the Personnel, Administration and Financial Policies and Procedures Manual approved on February 24, 2014.
POLICY NUMBER	3.04

OBJECTIVE The City of Watauga is committed to maintaining a safe and productive workplace. The City therefore requires that every employee report to work fit to perform their job.

SCOPE This policy applies to all employees of the City of Watauga. Police Officers and Fire Fighters are subject to the applicable provisions of Texas Local Government Code Chapter 143, the Rules of the City of Watauga Firefighters and Police Officers Civil Service Commission, and the general and special orders of the Police and Fire Departments, which may incorporate some or all of the provisions of this policy.

POLICY

The City of Watauga is committed to equal employment opportunity. The City prohibits discrimination against qualified individuals with disabilities. This policy is to be construed consistent with that commitment and in compliance with applicable laws, including the Americans with Disabilities Act.

A. Employee’s Responsibility

All employees are required to report to work fit for duty and to be able to perform their job duties in a safe, appropriate, and effective manner. For purpose of this policy, “fitness for duty” refers to the readiness of an employee to perform the essential functions of the job.

The City encourages employees to voluntarily seek assistance for any emotional or personal problems, any physical or mental health conditions, and any controlled substance, drug or alcohol abuse/addictions before their work performance is adversely affected.

B. Fitness for Duty

Medical examinations may be used to ensure that employees remain in good physical condition in order to perform the demands of the job. As a condition of employment, no one who is given a medical examination shall be employed unless the examining physician certifies that the

person meets the minimum standards of physical fitness required for the position. *See Policy 3.02 Selection Process.*

Employees may be required to have a physical examination on other occasions, such as in-house promotion or whenever the employee's supervisor determines that a potential health problem may prevent an employee from performing their job duties.

The grounds for seeking a fitness for duty evaluation may become evident from a supervisor's observations and/or receipt of a reliable report of an employee's possible lack of fitness for duty. Observations or employee self-report may include, but are not limited to difficulties with manual dexterity, memory, coordination, alertness, speech, vision acuity, concentration, response to criticism, interactions with co-workers and supervisors, outbursts, hostility, violent behavior, suicidal or threatening statements and change in personal hygiene.

C. Medical Evaluation Procedure

1. Physical examinations required by the City of Watauga for prospective, promoted, transferred, or current employees shall be paid for by the City of Watauga.
2. Time spent by an employee in waiting for and receiving a physical examination shall be considered hours worked for pay purposes.
3. Medical examinations paid for by the City of Watauga are the property of the City of Watauga and shall be confidential. A copy of the medical examination report shall be available to the employee upon written request.
4. When the City of Watauga requires a physical examination or physician's report concerning an illness or injury suffered by an employee, the examination shall be at the expense of the City of Watauga and performed by a physician selected by the City of Watauga. Such examinations may be authorized by the Director of Human Resources or their designee only. Employees who are not satisfied with the physician's determination may submit a report from a physician of their own choosing and at their own expense. In the event of conflicting opinions, the City of Watauga may employ a third physician to examine the employee. The City of Watauga will pay for this third physical examination. The reports of the physicians involved, along with the demands of the job and the employee's ability to perform the job duties, will be the basis for a decision.

D. Civil Service Employees

In the case of rejection of a civil service applicant for appointment, or for promotion, Civil Service proceedings governed by Chapter 143 of the Texas Local Government Code shall apply if the applicant wishes to challenge the rejection.