Policy 0602

From Human Resources

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PERSONNEL POLICY MANUAL
MoDOT Personnel Policy Title: Fit for Duty Review Program **Policy Number**: 0602 **Chapter Title**: Safety and Health **Effective Date**: March 1, 2007 **Supersedes Policy Number**: None **Dated**: None
Approved By: Micki Knudsen, Human Resources Director (Signature on file)

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POLICY STATEMENT

The department and the Commission are committed to protecting the safety and health of Missouri Department of Transportation employees and ensuring that employees are able to perform or safely perform the essential work tasks of their job. Where employees have a condition/illness/injury that

may make them unable to perform their essential work tasks and/or endangers their safety or the safety of others in the workplace, the department has the obligation to determine this and minimize such risks. Therefore, in such instances, a Fit for Duty Review may be required of such employees as described in this policy.

DEFINITIONS

Fit for Duty Review: A review process designed to assess an employee's ability to perform and/or safely perform the essential work tasks of his/her position. The review could include, but is not limited to, mandatory examinations and/or physicals, review of applicable medical documentation, or discussing the employee's ability to perform his/her job with appropriate medical providers.

Central Office Review Team: A team comprised of representatives from Central Office Human Resources and Risk Management Divisions with the Chief Counsel's Office providing legal input.

PROVISIONS / REQUIREMENTS

Employee/Supervisor Requirements

1. Employees must be able to perform the essential work tasks of their job. Therefore, the department may conduct a Fit for Duty Review for employees who have been identified as potentially unable to perform or safely perform the essential work tasks of their jobs.

2. Employees must immediately notify their supervisors of any non-work related illness/injury/condition, or the use of a medication, that may affect their ability to perform an essential work task and/or compromise their safety or the safety of their co-workers. Employees must also continually keep their supervisor updated on any subsequent changes to the status of their illness/injury/condition or use of medication.

3. Employees must work within their stated work restrictions when performing their job duties. If the employee has any temporary restrictions, please refer to Personnel Policy 0509, "Temporary Modified Duty Assignment."

4. Supervisors are required to report to their district/division human resources or risk management representative when they have concerns regarding an employee's ability to perform or safely perform essential work tasks.

The district/division human resources and risk management representatives shall determine whether a Fit for Duty Review should be forwarded to the Central Office Review Team. In cases where the matter involves a permanent restriction, a need for a medical release or where there is conflicting medical information, the Central Office Review Team should be consulted. No medical exam will be conducted without first consulting with the Central Office Review Team.

MEDICAL DOCUMENTATION REQUIREMENTS

5. Those parties involved in the Fit for Duty Review Program will safeguard the confidentiality of all medical information disclosed during the process.

6. Refusal to cooperate with the requirements of the Fit for Duty Review, including, but not limited to, signing a medical release authorization and/or submitting to required examinations, may subject an employee to disciplinary action, up to and including termination.

REVIEW PROCESS REQUIREMENTS

7. The Central Office Review Team will review cases where appropriate. Each employee's case will be analyzed on its individual merits. The Central Office Review Team will provide a recommendation regarding an employee's ability to perform or safely perform his/her essential work tasks based on the medical and other documentation/information to the appropriate district engineer or division leader/state engineer.

8. Based upon the recommendation from the Central Office Review Team, the district engineer or division leader/state engineer shall make a decision regarding the employee's employment status.

CROSS REFERENCE

Personnel Policy 0509, "Temporary Modified Duty Assignments"

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