

NRSP

*Fitness for
duty Policy
(Fitness
for Duty)*

3.14. FITNESS FOR DUTY

NRSP may require an employee to undergo a fitness-for-duty examination when there is reason to believe, based on objective information obtained or reasonably available, that the employee's ability to perform essential job functions will be impaired by a medical condition or that he or she will pose a direct threat to others due to a medical condition. The need for a medical evaluation must be clearly supported by the nature of the work and objective medical or other factual information. A medical professional selected by the NRSP will conduct the examination. All costs associated with such an examination will be borne by NRSP.

If an employee is impaired in his or her capability to safely and effectively complete work assignments, and a fitness-for-duty examination supports this conclusion, options may include:

- a. Transferring the employee to a vacant position for which the employee is qualified and that accommodates his/her medical condition limitations;
- b. Accommodating the employee in his/her current position by modifying work assignments and/or the work environment.
- c. If an accommodation is not feasible in enabling the employee to perform the essential functions of the job held or vacant positions for which the employee is qualified; and if an accommodation does not reduce any direct threat issues to an acceptable level, the employee may be relieved from duty.

Fitness-for-Duty Procedure

- a. If a department/section has an employee with a medical condition which appears to impair his or her capabilities to safely and effectively perform the essential functions of the job, or who poses a direct threat to others due to a medical condition, the GM shall be contacted pertaining to a possible fitness for duty situation. The department/section must be prepared to respond to the following:
 - 1) What objective evidence supports the need for a fitness for duty examination?
 - 2) What is the reasonable belief that the employee's ability to perform essential job duties is impaired?
 - 3) What is the basis for any belief of direct threat?
 - 4) What knowledge exists that performance issues are linked to a medical condition?
- b. A psychiatric or psychological assessment shall be conducted in accordance with accepted professional standards by a licensed practitioner or physician authorized to conduct such examinations, and may only be used to make a legitimate inquiry into a person's mental fitness to successfully perform the essential functions of his/her position without direct threat to the individual or others.
- c. The scope of any fitness for duty examination shall be limited to the specific medical condition and how such a condition affects or may affect the employee's ability to perform essential functions or pose a direct threat.
- d. All medical information obtained through the fitness for duty provisions shall be maintained by Human Resource Department as strictly confidential and shall not be a part of the employee's personnel file.

- e. When a department/section requests a medical examination, it shall inform the employee in writing of its reasons for doing so and the consequences of failure to cooperate. The NRSP will designate the examining physician or other appropriate medical practitioner, but will offer the individual an opportunity to submit medical documentation from his/her personal physician or medical practitioner. The NRSP will review and consider all such documentation supplied by the individuals' personal physician or medical practitioner along with documentation provided by the examining physician selected by the NRSP. Should the employee wish to submit medical documentation from his/her personal physician or practitioner, the employee shall pay for all examinations or documentation charges.
- f. Any employee who refuses to undergo a required fitness for duty examination shall be found insubordinate and will be subjected to disciplinary action up to and including termination.