



FIT FOR DUTY

OSBT SP-035-00

EMPLOYEE EDUCATION 2019

FIT FOR DUTY

Overview

- This policy covers only those situations in which an employee is having observable difficulty performing his/her work duties in a manner that is safe for the employee and/or for his or her co-workers, or is posing an imminent and serious safety threat to self or others.
- This policy proscribes the circumstances under which an employee may be referred for a fitness for duty observation.

FIT FOR DUTY

Purpose

- The purposes of this fitness for duty policy are:
 - To help ensure the safety and health of individuals or others with whom they have contact.
 - To establish procedures by which OSBT can evaluate an employee's ability to safely and competently perform her/his duties when a health or safety problem arises.
 - To comply with the Federal Drug Free Workplace Act



FIT FOR DUTY

Responsibilities – HSSE Team

- Provide information from the supervisor regarding employee behaviors or performance, and from the employee regarding any relevant previous medical treatment information
- Identify who will conduct the fitness for duty observation
- Document Employee Fit for Duty Observation Report
- Receive the results of the fitness for duty observation
- Communicate the results to the employee if not done so by the evaluator
- Maintain confidentiality except as detailed in the section 4.1 (12) below
- Discuss recommendations and subsequent accommodations with the supervisor
- Communicate with the employee as to their rights, responsibilities and employment status

FIT FOR DUTY

Responsibilities – Managers/Supervisors

- Observe the attendance, performance, and behavior of the employees by his/her supervision
- Notify HSSE Team or HR, when an employee is exhibiting behavior that suggests he/she may not be fit for duty
- Follow this policy's procedures for completing an Employee Fit for Duty Observation Report form when presented with circumstances or knowledge that indicate that an employee may not be fit for duty
- Remove and escort an employee deemed not fit for duty from the worksite unless he/she poses an immediate safety threat in which case the supervisor should call 911
- Arrange transportation for the employee from the work site if necessary
- Maintain the confidentiality of an employee's medical information
- Implement any reasonable accommodation deemed necessary



EMPLOYEE FITNESS FOR DUTY OBSERVATION REPORT

Date of Report: _____ Time of Report: _____ Location: _____

Employee Name: _____ Job Title: _____

OBSERVATIONS: (Check all that apply)

BEHAVIOR

- Stumbling, unsteady gait
- Drowsy, sleepy, lethargic
- Agitated, anxious, restless
- Irritable, moody
- Hostile, belligerent
- Angry, shouting, threatening
- Depressed, withdrawn
- Unresponsive
- Clumsy, uncoordinated
- Tremors, shakes
- Flu-like symptoms
- Suspicious, paranoid
- Hyperactive, fidgety, distracted
- Inappropriate, uninhibited behavior
- Memory loss, confusion
- Threatening to harm self or others

APPEARANCE

- Flushed complexion
- Sweating
- Cold, clammy, sweaty
- Bloodshot eyes
- Tearing, watery eyes
- Dilated (large) pupils
- Constricted pupils
- Unfocused, blank stare
- Disheveled clothing
- Distinct smell _____

SPEECH

- Slurred, thick
- Incoherent
- Exaggerated enunciation
- Loud, boisterous
- Rapid, pressured
- Excessively talkative
- Nonsensical, silly
- Cursing, inappropriate speech

Document other observations related to Fit for Duty:

Ask employee to explain signs of observed behavior. Document the employee's response:

Check all that apply:

- Relieved employee from duty
- Removed from worksite
- Confirmed safe transportation plan
- Informed employee of responsibilities

Supervisor's Printed Name

Supervisor's Signature

Date

HSSE Manager Signature

FIT FOR DUTY

Responsibilities – Employees & Partners

- Perform his/her job responsibilities in a safe and effective manner, with or without reasonable accommodations during the entire time at work
- Notify the supervisor when not fit for duty
- Notify the supervisor when a coworker is observed acting in a manner that indicates the coworker may not be fit for duty
- Comply with this policy and any authorized request to submit to an observation.

FIT FOR DUTY

General Requirements

- Employees are responsible for managing their health in such a way that they can safely perform their essential job functions, with or without reasonable accommodation
- Employees who have the responsibility for on-call shifts must remain in a fit condition for the entire on-call period
- Supervisors may refer employees for a fit for duty observation if they follow the adopted procedures
- The determination by a supervisor to refer an employee for a fit for duty observation must involve consultation with an HR representative unless the nature of the situation dictates immediate attention
- An impartial, independent health care evaluator with appropriate expertise (which will include one or more of the following: medical, psychological, alcohol, or other drug conditions) will conduct a fitness for duty observation
- OSBT will make the final determination of an employee's fit for duty status

FIT FOR DUTY

General Requirements (cont.)

- An employee referred for a fit for duty observation will be relieved of duties pending completion of the evaluation
- When an employee is found to be unfit for duty, his/her employment status will be determined on a case-by-case basis, in accordance with OSBT policy and practice
- An employee's pay status while fitness for duty is being determined will be dependent on his/her employment status and the facts of the case
- In all cases OSBT must receive a "return to work/fitness for duty form" from the independent evaluator before an employee may return to work
- In most cases, a re-entry conference with the supervisor and an HR representative (if appropriate) will occur prior to the employee's return to work

FIT FOR DUTY

General Requirements (cont.)

- Confidentiality/Privacy
 - Records of fitness for duty evaluations will be treated as confidential medical records and be kept separate from existing department and personnel files; this information can be shared only on a strict “need to know” basis.
 - After an evaluation, information available to the employee’s work unit will be limited to:
 - Whether a person is fit to resume his/her job duties
 - Whether a person is a direct threat to self or others
 - Whether a person needs specific reasonable accommodations

CONFIDENTIAL

FIT FOR DUTY

General Requirements (cont.)

- An employee is expected to perform essential job functions in a safe and effective manner, and to discuss with his/her supervisor any circumstances that may impact his/her ability to do so.
- OSBT may require professional evaluation of an employee's physical, emotional or mental capacities to determine his or her ability to perform essential job functions.
- Such evaluations are conducted by an independent, licensed health care professional and are undertaken only after review by the coordinating team.

FIT FOR DUTY

Return to Work

- In conjunction with the employee's supervisor, the HSSE Team Lead and HR will discuss whether any reasonable and necessary accommodations need to be made
- Continued employment shall be contingent upon compliance with recommendations provided by the evaluator, such as periodic testing, participation in professional counseling and treatment programs.
- During this time, applicable leave policies and health plan benefits will apply.



FIT FOR DUTY

Evaluations

- The result of Fit for Duty (FFD) evaluations performed by qualified, licensed health care professionals shall be presumed to be valid.
- Results of the evaluation will be received by OSBT, as appropriate.
- The employee will be notified of the results of the FFD by the evaluating Physician.
- Only necessary information shall be shared with the HSSE Department.
- HR will communicate whether the employee may return to work to the employee's supervisor.
- After an evaluation, information given to the employee's supervisor shall be limited to whether the employee may:
 - Return to full duty
 - Not return to full duty, in which case the employee will be referred to HR for a benefits discussion
 - Return to full duty with reasonable accommodations to meet the evaluator's recommendations

FIT FOR DUTY

Drug Testing Requirements

- **Pre-employment:** All applicants must pass a drug test before beginning work or receiving an offer of employment.
 - Refusal to submit to testing will result in disqualification of further employment consideration.
- **Reasonable Suspicion:** Employees are subject to testing based upon (but not limited to) observations by the supervision of apparent workplace use, possession or impairment.
 - HR will be consulted before sending an employee for testing.
- **Post-accident:** Employees are subject to testing when they cause or contribute to accidents that seriously damage a OSBT vehicle, machinery, equipment, or property and/or result in an injury to themselves or another employee requiring off-site medical attention
- **Follow-up:** Employees who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including discharge.
- **Upon Request:** If a Work Order requires a special request for the site, OSBT will work to meet the addition requirements.

Thank You!

Thank you for completing Fit For Duty!
Complete the [For For Duty Quiz](#) to receive credit for this module.

Have questions?
Contact HSSE@osbt.com