

FITNESS FOR DUTY

In order to serve the students and citizens of the Albemarle County Public Schools (“ACPS”), the School Board assumes the responsibility to ensure that all of its employees are physically and psychologically fit for duty to perform the essential functions of the jobs. The School Board has charged the Superintendent with the responsibility of implementing procedures that are fair to the employees and also protect the basic belief that all employees must be of sound mind and body.

Adopted: July 1, 1993
Amended: December 8, 1997; November 14, 2013; March 10, 2022
Reviewed: March 10, 2022

PROCEDURE FOR COMPLIANCE - FITNESS FOR DUTY

1. It is the responsibility of each employee to maintain their physical and mental health to a degree required to satisfactorily perform the job.
2. Every job description will clearly state the minimum requirements of the job. Employees are responsible for familiarizing themselves with these requirements.
3. If a supervisor suspects, through observed behavior, that an employee is not fit for duty, i.e. is unable to perform the responsibilities of the job effectively or is a safety threat personally or to anyone else (including, but not limited to, attendance issues, poor work performance, behavioral issues, or workplace accidents), the supervisor will contact the Human Resources Department to determine the feasibility of referring the employee for a fitness for duty evaluation. When such a referral is made, the supervisor shall explain to the employee, in writing, the reasons for requiring the fitness for duty evaluation. The employee will not be allowed to work and shall be placed on paid administrative leave until the results of the evaluation are obtained and discussed with the employee. Paid leave of absence status includes time spent at the evaluation.
4. The employee will be required to sign a “Release for Information” form so that the healthcare provider can release the results to the Director, Human Resources Department/Designee.
5. The Fitness for Duty evaluation shall be performed by a qualified healthcare provider identified and paid by the School Board.
6. Refusal to comply with any component of the Fitness for Duty evaluation may result in disciplinary action up to and including recommendation for termination of employment.
7. Results of the Fitness for Duty evaluation will be provided to the Director, Human Resources Department/Designee. The employee, supervisor, and Director, Human Resources Department/Designee will discuss the results of the evaluation and the need for any accommodation(s).
8. It shall remain the responsibility of the employee to undergo any recommended treatment, at the employee’s expense, necessary for the employee to meet the requirements of the job. The employee may request unpaid leave or use accrued leave for such treatment in accordance with School Board policies. Continuation of paid administrative leave following the evaluation is at the discretion of the Director, Human Resources Department/Designee. Refusal to comply with any recommended treatment may result in disciplinary action up to and including recommendation of termination from employment.
9. If the results of the evaluation indicate that the employee is permanently unable to fulfill the job requirements. The Director, Human Resources Department/Designee shall discuss

other employment options and/or potential benefit options, such as retirement, with the employee.

10. If the Fitness for Duty evaluation indicates that the employee could perform the job responsibilities with modifications or accommodations to the job, the Superintendent/Designee will determine whether such accommodations can be made without imposing an undue burden on the ACPS as defined by the Americans with Disabilities Act.
11. The Director, Human Resources/Designee shall communicate, within a reasonable period of time, the ACPS's final determination for an employee's work status, any performance requirements and, accommodations, as appropriate.

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Cross Ref.: *GBCA, Employee Discipline*
GCC, Leave Program
GCP, Termination, Non-Renewal, and Dismissal
GBAB, Americans with Disabilities Act