

FITNESS FOR DUTY

In order to ~~provide the highest level of service possible 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
Reviewed: ~~May 27, 2004~~

PROCEDURE FOR COMPLIANCE - FITNESS FOR DUTY

1. ~~All employees will be informed that it is their responsibility to maintain their physical and mental health to a degree required to carry out their responsibilities as employees. It is the responsibility of each employee to maintain his/her their [LK1] physical and mental health to a degree required to satisfactorily perform his/her the job [DM2].~~
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 ~~through observed behavior~~, i.e. is unable to effectively perform ~~his/her the ir~~ responsibilities of the job effectively or is a safety threat ~~to himself/herself or others personally or to anyone else~~ (including, but not limited to, attendance issues, ~~returning to work after hospitalization or prolonged absence due to health reasons~~, 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 have been are obtained and discussed with the employee. ~~The employee shall be on paid leave of absence status. Paid leave of absence status This includes time spent at the~~ evaluation [RH3].
4. The employee will be required to sign a “Release for Information” form so that the healthcare provider ~~may can~~ release the results to the ~~Direction~~ Director, ~~of~~ Human Resources Department ~~or designee/Designee~~.
5. The Fitness for Duty evaluation shall be performed by a qualified healthcare provider identified and paid by the County School Board [DM4] [LK5] [JWK6], ~~and the evaluation shall be paid for by the County Board.~~
6. Refusal to comply with any component of the Fitness for Duty evaluation ~~will may~~ result in disciplinary action up to and including ~~a~~ recommendation [LK7] [JWK8] ~~of for~~ termination ~~of of~~ employment.
7. Results of the Fitness for Duty evaluation will be provided to the Director, ~~of~~ Human Resources Department, ~~or designee/Designee~~. The employee, supervisor, and Director, of Human Resources Department/Designee will discuss the results of the evaluation and the need for any accommodation(s), who will in turn inform the employee and his/her supervisor as to whether the employee is fit or unfit for duty.
8. ~~If the fitness for duty evaluation indicates that the employee could perform his/her responsibilities by adhering to medical treatment, i~~ It shall remain the responsibility of the employee to undergo the any recommended treatment, at the employee’s expense, ~~to~~

necessary for the employee to successfully meet the expectations requirements of the job. The employee may request unpaid leave or to use accrued leave for such treatment in accordance with School Board policies. Continuation of paid ~~Paid~~ administrative leave beyond receiving following results of the evaluation the evaluation is at the discretion of the Director, ~~of Human Resources Department/Designee.~~ Refusal to comply with any recommended treatment will may result in disciplinary action up to and including ~~recommended~~ recommendation of termination from employment^[RH9].

89. If the results of the evaluation indicates indicate that the employee is not fit for duty, 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 disability^[LK10] retirement, will be explained ~~discussed with~~ the employee.

910. If the ~~f~~ Fitness for ~~D~~ duty evaluation indicates that the employee could perform his/her ~~the~~ job responsibilities with modifications or accommodations to the job, the Superintendent/Designee will determine whether such modifications/accommodations are reasonable can be made without imposing an undue burden on the ACPS and can be made in accordance with as defined by the Americans with Disabilities Act and can be made.

1011. ~~Final authorization~~ The Director, Human Resources/Designee shall communicate, within a reasonable period of time, ~~F~~ the ACPS's final determination for an employee's work status,; to return to work, if fit, shall be communicated in writing by the Director of Human Resources or designee/Designee along with any performance expectations requirements and, reasonable accommodations, as appropriate.; and timeframe for ~~??????~~^[RH11].

~~The above outlined procedures are designed to assure that employees are fit for duty or, if problems occur, receive the recommended treatment required in order to be able to perform their responsibilities to the extent required in the position description.~~

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