

## Fitness for Duty

### 812.1 VERSION

Review Date	Effective Date	Approving Authority
01/25/19	07/09/18	Eric D. English, Chief of Police

### 812.2 POLICY AND PURPOSE

Monitoring employee fitness for duty is essential for the safety and welfare of the employees of the Department and the community. The purpose of this policy is to ensure that all employees of this department remain fit for duty and able to perform their job functions.

The Harrisonburg Police Department strives to provide a safe and productive work environment and ensure that all employees of this department can safely and effectively perform the essential functions of their jobs. Under limited circumstances, the Department may require at no cost to the employee a professional evaluation of a employee's physical and/or mental capabilities to determine his/her ability to perform essential functions.

### 812.3 ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this policy. Responsibility rests with the supervisor to ensure that any violations of policy are investigated and appropriate training, counseling and/or disciplinary action is initiated. This directive is for internal use only, and does not enlarge an employee's civil liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

### 812.4 EMPLOYEE RESPONSIBILITIES

It is the responsibility of each employee of this department to maintain physical stamina and psychological stability sufficient to safely and effectively perform the essential duties of his/her position. The Department will make available guidelines appropriate for each position.

During working hours, all employees are required to be alert, attentive and capable of performing their assigned responsibilities.

Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that a employee believes that another department employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

The Harrisonburg Police Department provides employees with a choice for enrolled participation in a number of approved physical fitness training facilities. Officers are encouraged to maximize their use of a facility to develop and maintain a personal level of physical conditioning. Facility training staff members are available to assist in the development of an individualized training program. For more information, see one of the Department's Fitness instructors. See Wellness Policy for more information.

# Harrisonburg Police Department

## Policy Manual

### *Fitness for Duty*

---

#### 812.4.1 PROCEDURE

All officers are encouraged to maintain a diet that is specific to the wellness and health needs of the individual officer. It is recognized that a healthful diet, in conjunction with a regularly implemented physical fitness program, contributes significantly to the overall wellness and fitness of the individual. For more information, see one of the Department's Fitness instructors. See Wellness Policy.

The City of Harrisonburg's Department of Human Resources annually schedules a health fair that is offered to all employees. The health fair provides employees with a blood pressure check, other blood work and health screens. All employees are strongly encouraged to participate in this program.

Further, the Department of Human Resources periodically sponsors specific health care programs that have included dealing with stress, flu vaccinations, etc. Specifically, the programs may be open to officers, retirees, other family members covered under the City's medical insurance program or to the general City of Harrisonburg work force.

#### **812.5 SUPERVISOR RESPONSIBILITIES**

All supervisors should be alert to any indication that a member may be unable to safely perform his/her duties due to an underlying physical or psychological impairment or condition.

Such indications may include:

- (a) An abrupt and negative change in the employee's normal behavior.
- (b) A pattern of irrational conduct, hostility or oppositional behavior.
- (c) Personal expressions of instability.
- (d) Inappropriate use of alcohol or other substances, including prescribed medication.
- (e) A pattern of questionable judgment, impulsive behavior or the inability to manage emotions.
- (f) Any other factor or combination of factors causing a supervisor to believe the employee may be suffering from an impairment or condition requiring intervention.

Supervisors shall maintain the confidentiality of any information consistent with this policy.

#### 812.5.1 REPORTING

A supervisor observing a employee, or receiving a report of a employee, who is perceived to be unable to safely or effectively perform his/her duties shall promptly document all objective information and/or observations.

The supervisor should attempt to meet with the employee to inquire about the conduct or behavior giving rise to the concerns.

If a meeting does not resolve the supervisor's concerns or does not take place, the supervisor shall promptly document his/her observations and actions in a written report and inform the Patrol Commander or the employee's Commander.

# Harrisonburg Police Department

## Policy Manual

### *Fitness for Duty*

---

#### 812.5.2 DUTY STATUS

In conjunction with the Patrol Commander or the employee's Commander, the supervisor should make a preliminary determination regarding the member's duty status.

If a determination is made that the employee can safely and effectively perform the essential functions of his/her job, the employee should be returned to duty and arrangements made for appropriate follow-up.

If a preliminary determination is made that the employee's conduct or behavior represents an inability to safely and effectively perform the essential functions of his/her job, the Patrol Commander or the employee's Commander should immediately relieve the employee of duty pending further evaluation.

Employees relieved of duty shall comply with the administrative leave provisions.

The Chief of Police shall be promptly notified in the event that any employee is relieved of duty.

#### **812.6 FITNESS FOR DUTY EVALUATIONS**

A fitness for duty evaluation may be ordered whenever circumstances reasonably indicate that an employee is unfit for duty or following an officer-involved shooting or death in custody incident.

##### 812.6.1 PROCESS

The Chief of Police, in cooperation with the Human Resources Department, may order the employee to undergo a fitness-for-duty evaluation at no cost to the employee.

The examining practitioner will provide the Department with a report indicating whether the employee is fit for duty. If the employee is not fit for duty, the practitioner will include the existing restrictions or conditions in the report.

In order to facilitate the evaluation of any employee, the Department will provide all appropriate documents and available information. (job analysis & job description)

All reports and evaluations submitted by the examining practitioner shall be part of the employee's confidential medical file.

Any employee ordered to undergo a fitness for duty evaluation shall comply with the terms of the order and cooperate fully with the examining practitioner. Any failure to comply with such an order and any failure to cooperate with the practitioner may be deemed insubordination and shall subject the employee to discipline, up to and including termination.

Determinations regarding duty status of employees who are found to be unfit for duty or fit for duty with limitations will be made in cooperation with the Human Resources Department.