


SUBJECT FITNESS FOR DUTY	POLICY NUMBER 5.06	
POLICY MAINTENANCE ADMINISTRATOR: Chief, Bureau of Personnel Services		
PURPOSE/SCOPE: To establish policy and procedures to determine whether a member is physically or psychologically able to perform essential job duties or the member's behavior presents a risk to themselves, other person(s) or property.		

I. AUTHORITY

Section 60L-34, Florida Administrative Code, Attendance and Leave

Governor's Executive Order 11-03 and Code of Ethics, effective January 4, 2011

II. DEFINITIONS

- A. Fitness for Duty Examination Report (referred to herein as Report)- A confidential written report of a Fitness for Duty Examination, prepared by a qualified health care professional selected by the Department, which indicates whether a member is physically and/or psychologically able to satisfactorily perform the essential duties of the member's position without risk to self, others or property. This report includes an assessment of whether rehabilitation may correct the problem and a recommended rehabilitation program, if applicable.
- B. Fitness for Duty Examination (FFD)- A qualified health care professional's examination which includes an evaluation designed to determine whether a member is physically and/or psychologically able to perform the essential duties of the member's position and that the member's presence does not present a risk to the member, to others or to property. An examination required by the Department will be at department expense.
- C. Member- Any person assigned to a Senior Management Service, Selected Exempt Service or Career Service position within the Department.

III. POLICY

It is the policy of the Department to create and maintain a workplace where members are physically and psychologically capable of performing their job duties by providing a means to determine their capability when behavior indicates a fitness

Executive Director SIGNED ORIGINAL ON FILE	Effective Date 10/24/1994
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for duty is warranted. A Fitness for Duty Examination is authorized only when there is documentation that the member may be physically or psychologically unable to perform the essential duties of his/her position or that the member may pose a safety risk to themselves, others or property. The Department respects the member's privacy in these situations and the resulting examination report is confidential and its content is distributed on a need-to-know basis only. A member who refuses to submit to an FFD authorized by the Department is subject to dismissal.

IV. ROLES AND RESPONSIBILITIES

- A. The Chief of Staff, Deputy Executive Director and division directors are delegated the authority to authorize Fitness for Duty Examinations in conjunction with the Chief of Personnel Services.
- B. The Office of Employee Relations (OER) is the Department Coordinator for the FFD program. OER consults with department management on situations which may indicate an FFD is warranted and develops procedures for the Department's FFD program.
- C. The Office of Employee Relations will assist in the selection of professionals for any FFD authorized by the Department.
- D. The Office of Employee Relations provides supervisory training as it relates to this policy.

V. AUTHORIZED FITNESS FOR DUTY EXAMINATION OF MEMBERS

- A. Prior to authorizing any FFD, the appropriate division director's office will compile documentation of the performance problems or work behavior which justifies the FFD. This documentation will be reviewed with OER, General Counsel's Office and a determination made whether to proceed with the FFD.
- B. Once a FFD is authorized, the Office of Employee Relations will obtain the name, address and telephone number of the physician, psychologist or other licensed professional authorized to conduct the FFD, the estimated cost and billing procedures.
- C. The appropriate division director will send a letter to the selected provider including:
 - 1. The type of exam(s), physical and/or psychological, requested;

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2. A description of the behavior leading to the FFD request;
 3. A description of the member's essential job duties;
 4. A copy of the member's position description;
 5. A request for a detailed report of the member's capacity to safely and effectively perform the essential job duties;
 6. A request for a rehabilitation program referral, if appropriate;
 7. The name, address and phone number of the Bureau Chief of Personnel Services, who is authorized to receive the completed FFD examination report and recommendations; and
 8. Billing instructions.
- D. A member awaiting an FFD referral will be assigned to either administrative leave for investigation or alternate duty as described in Department Policy 3.03, depending on the specific circumstances, while awaiting the outcome of the FFD and final resolution of the matter.
- E. The division director, after reviewing the report and consulting with OER and legal counsel, will inform the member in writing of any action the Department proposes to take based on the examination.