GEORGIA DEPARTMENT OF CORRECTIONS **Standard Operating Procedures**		
Policy Name: Fitness for Duty		
Policy Number: 205.01	**Effective Date:** 10/26/2017	**Page Number:** 1 of 7
Authority: Commissioner	**Originating Division:** Facilities Division	**Access Listing:** Level I: All Access

I. Introduction and Summary:

The Georgia Department of Corrections' (GDC) critical mission of supervising offenders, mandates that employees be mentally and physically capable of performing their assigned duties. When the job-related mental or physical capabilities of employees are questioned, the GDC must conduct an appropriate fitness for duty evaluation.

II. Authority:

A. GDC Board Rules: 125-2-1-.01 b-e, 125-2-1-.02 a-c, 125-2-1-.07, 125-2-1-.08(4), and 125-2-1-.09(2)(b);

B. O.C.G.A. § 42-5-18;

C. GDC Standard Operating Procedures (SOPS): 205.02 Contact or Business Dealings with Inmates/Probationers, 209.04 Use of Force and Restraint for Offender Control, 104.47 Employee Standards of Conduct, and 104.59 Alcohol and Drug Testing-Reasonable Suspicion; and

D. ACA Standards: 4-4048, 4-4054, 4-4062 and 4-4063.

III. Definitions:

A. **Offender -** Person that has been convicted of a crime and placed under supervision of Georgia Department of Corrections.

IV. Statement of Policy and Applicable Procedures:

This policy is applicable to all GDC employees at state facilities housing GDC offenders.

A. New Applicants and Employees:

1. NO applicant who has been convicted by any state or federal government, of any crime where the punishment could have been imprisonment in a federal or state prison or has been convicted of sufficient misdemeanors to establish a pattern of disregard for the law is eligible for employment in a position that would require police powers. An exception to this may be moving traffic violations.

2. In order to minimize the danger to others by persons who subject themselves to practices, which would make them unfit for duty, all new employees shall be appropriately screened to ensure that they adhere to institutional standards. The institutional standards for Correctional Officers are as follows:

   a. Male:
      i. 8 push-ups in one minute;
      ii. 12 sit-ups in one minute; and
      iii. 16-minute mile walk/run.

   b. Female:
      i. 4 push-ups in one minute;
      ii. 8 sit-ups in one minute; and
      iii. 16-minute mile walk/run.

3. No Correctional Officer shall be employed without meeting the physical fitness standards. These standards will require applicants to perform a certain number of push-ups, sit-ups and walk or run one mile within specified periods of time.

4. Correctional staffs are required to maintain the essential physical and mental capabilities to perform assigned functions satisfactorily. The Department may require examination to determine physical and/or mental fitness for duty.

5. Screening of applicants shall be conducted so as to establish their reputation as to reliability and trustworthiness.

6. All personnel shall be required to adhere to applicable rules, regulations, policies, procedures and directives of GDC.

7. Prospective employees previously terminated by GDC, failing working test or leaving under adverse conditions will need to be reviewed by the respective Field Operations Manager for final review and approval.

8. All state employees shall be subjected to a security investigation which shall, at a minimum, include a fingerprint check with state and federal agencies and

verification of personal data, claimed education and employment experience. Falsification or withholding of pertinent data shall be considered cause for denial of employment or dismissal and may result in prosecution.

9. Further, in the event any employee exhibits behavior indicative of a condition which would potentially render them unfit for duty, appropriate steps shall be taken to determine the extent, if any, of violations of this procedure. This could include, but is not limited to, drug testing, investigation or examination by a professional such as a doctor.

10. A reputation for reliability and trustworthiness shall be questioned if any of the following occurs:

    a. Willful omission or falsification of information submitted in support of employment or access to the institution for daily business.

    b. While on duty, the use, possession, or handling of illegal drugs or alcohol; or excessive use of alcohol while in an off-duty status.

    c. A criminal conviction.

    d. Mental or physical impairment.

    e. Any evidence of coercion, influence or pressure that may be applied from outside sources to compel an individual to commit an act of sabotage that could affect the health or safety of the public, inmate/probationers or facility employees.

    f. Any other information that would adversely reflect upon the reliability and trustworthiness of the individual as it relates to being permitted unescorted access to the facility.

11. Each person employed shall receive appropriate security training with particular emphasis on those matters for which the person has responsibility.

12. All authorized individuals not screened in accordance with paragraph 1.A. above shall be escorted. Persons requiring escort shall be identified and the validity of their need for access shall be determined.

13. Personal honesty and integrity shall be required of all employees

14. Persons who demonstrate a lack of judgment, stability or trustworthiness that have resulted in or may result in actions that are averse to the safety of the facility, themselves, coworkers, offenders or the general public shall not be allowed access to facility property. It is the responsibility of each supervisor to be aware and know the condition of the employees assigned to their respective units.

B. Fitness for Duty: The potential for attempts at escape, evasion or violation of security regulations by offenders is such that staff must be fit for duty at all times and alert to breaches of security. All staff must be mentally, physically, and legally qualified at all times to carry out all assigned duties in a totally satisfactory manner even under stressful circumstances.
    1. No employee shall be permitted to enter or remain on duty if under the influence of alcohol, drugs, or any other distorting element or if any illegal drug is found within his or her system.

    2. All security personnel must be willing and able to carry out any and all job duties at any time. At times, one job duty may be the use of force; up to and including deadly force; when lawful and required by GDC SOP 209.04 Use of Force and Restraint for Offender Control.

    3. Illegal Drugs: These are defined as any drug or drug like substance whose sale, use or possession is unlawful. Any GDC employee possessing, using, selling or distributing illegal drugs may be terminated if:

        a. He or she is convicted of using, possessing, handling or distributing illegal drugs, including marijuana, either on or off duty regardless of location;

        b. He or she has any amount of illegal drugs in his or her possession, including marijuana, or in his or her system, while in any state vehicle

or while on duty at an institution or work site where offenders are located; or

c. Is otherwise shown to have used, possessed, handled or distributed illegal drugs, including marijuana, while employed by the State of Georgia, while employed as a sworn officer, or any time within the past two (2) years.

4. Physician or Self-Prescribed Drugs: No person shall be allowed to drive any state vehicle or work at any facility or work site where offenders are located while under the influence of physician or self-prescribed drugs, if he or she is judged by his or her physician or supervisor to be unfit for duty as a result of the use of these drugs. When taking physician prescribed drugs or over the counter legal drugs, which may affect performance, the employee must report daily such use to his or her supervisor. This must be reported prior to the start of his or her daily shift for a determination of fitness for duty while on such medication. All medications will be maintained in a manner inaccessible to offenders and approved by the employee's supervisor. Violation of this procedure shall result in severe disciplinary action including the possibility of termination.

5. Alcohol: See SOP 104.47, Employee Standards of Conduct, IV.M and VI.A.7-10.

6. Temporary Exceptions: In certain extraordinary situations, an employee's job duties may be modified. Any job duty modifications must be coordinated and approved by Correctional Human Resources Management (CHRM).

C. Alcohol and Drug Screening Test:
1. Reasonable Suspicion Alcohol and Drug Screening Test: If at any time the Warden or Superintendent or his or her designee has reasonable cause to suspect that any employee is in violation of the drug and alcohol policy, the suspected employee shall be requested to take the drug screening test after receiving approval from the Director, Human Resources. Any employee refusing to submit to such a test when required to do so by the Warden or Superintendent or his or her designee may be terminated. A

positive test result indicating that an employee, while in a state vehicle or while on duty at facility or work site where offenders are located, with an amount of illegal drugs in his or her system or while under the influence of alcohol may result in termination per SOP 104.59, Alcohol and Drug Testing-Reasonable Suspicion; and

2. **Random Drug Screening Test:** Individual facilities shall perform drug screening on a random basis in accordance with SOP 104.58, Random Drug Screening.

3. All employees shall be required to report their arrest for or conviction of ANY crime to their immediate supervisor by the next normal business day after its occurrence. This shall be followed by a written notification to the appointing authority within 72 hours of occurrence.

D. Searches: Employees, vehicles, property, equipment and storage areas at GDC facilities and detail work sites are subject to search, including any other persons entering or leaving the property. Additionally, all areas, equipment, personal work-space and storage facilities, including but not limited to, a desk, lunch and tool boxes, lockers, storage bins, etc. are subject to search.
   1. Automobiles entering the property, parked on the property, in use on the property and exiting the property are subject to search.

   2. The Warden/Superintendent or his/her designee shall require frequent staff inspections in an effort to control contraband.

   3. Any employee refusing to permit a search of their person, property, vehicle or controlled area may result in termination.

   4. No one who refuses such a search shall be allowed to enter the facility.

   5. The Warden/Superintendent or designee may cause periodic unscheduled searches of staff, visitors, and civilian workers to be conducted and the searches may include persons, possessions, vehicles, workspaces and equipment. These searches shall be done to control contraband of all types including alcohol and drugs.

6. Arrest may be made of GDC employees specifically committing a misdemeanor or felony on premises, which are under the jurisdiction of GDC.

E. Unofficial Dealings with Offenders: Unofficial dealings with offenders, per SOP 205.02, Contact or Business Dealing with Inmates Probationers, involving alcohol, contraband, or drugs (whether illegal or legal) is strictly prohibited and shall result in termination. Unofficial dealings with offenders not involving drugs, contraband or alcohol is likewise prohibited and shall result in severe disciplinary action up to and including the possibility of termination and/or criminal prosecution. O.C.G.A. § 42-5-18, forbids giving any item or article to an offender without the permission of the Warden/Superintendent.

V. Attachments: None.

VI. Record Retention of Forms Relevant to this Policy: None.