




# City of Manassas Police Department

## General Duty Manual



Effective Date: 07-20-2011	<b>GENERAL ORDER</b>	Number: 03-06
Subject: Medical Standards and Procedures		
<input type="checkbox"/> New <input checked="" type="checkbox"/> Amends <input type="checkbox"/> Rescinds <input checked="" type="checkbox"/> Reviewed: 12/01/2024		Reevaluation: <input type="checkbox"/> 1 yr. <input type="checkbox"/> 18 months <input checked="" type="checkbox"/> 24 Months
Accreditation Standards: 22.2.1/ 22.2.2	By Authority Of:  Douglas W. Keen, Chief of Police	Total Pages: 7

### PURPOSE:

To establish medical standards and procedures to aid in evaluating the health and physical condition of sworn officers and to ensure that all members of our Department are in compliance with city guidelines related to the use of illegal drugs.

### POLICY:

These standards are used to ensure that all officers are physically qualified to perform the duties and tasks associated with law enforcement. Physical examinations are conducted using valid, useful and nondiscriminatory procedures. Officers should undertake such programs of exercise as may be required to remain in good physical condition. Officers must comply with the recommendations of the examining and / or other competent medical authority. Officers are encouraged to be a participant in the Department's LAWFIT Program (see General Order 1-22) in order to maintain the level of physical fitness necessary for the safe and effective performance of their duties.

A separate random drug testing program based on the Department of Transportation Federal Highway Administration Regulations and the Drug Free Workplace Act of 1988, as amended will be administered in addition to the physical program. The drug testing will encompass all employees of the police department including sworn auxiliary officers.

### PROCEDURE:

#### I. Medical Groups and Ratings

- A. The Human Resources Director or HR designee develops and maintains the medical standards for all applicable sworn and non-sworn positions within the City government.
  1. The standards are adopted by the Department in accordance with the provisions of the American College of Occupational and Environmental Medicine and Law Enforcement Organization Guidelines.
  2. The medical/physical standards applicable to any City position are available in the Human Resources Office.
- B. The City's Human Resource Director is the primary liaison with the medical professionals who serve as the primary examining physician for the Department. The examining physician conducts physical examinations using standards that are based on the occupation and duties involved, as developed by the Human Resources Director or HR designee.
- C. Any physical examination required by the City of Manassas for employment purposes is performed at the City's expense.
- D. The medical standards specified for officers and sworn position applicants are maintained on file by:
  1. The Human Resources Director or HR designee.
  2. The examining physician.
- E. All applicants for sworn and other applicable positions must undergo a physical examination by the City's examining physician as part of the selection process.
- F. The examining physician evaluates examinees and assigns a designation of cleared, not cleared, or interim with time to get cleared.

Effective Date: 07-20-2011	<b>GENERAL ORDER</b>	Number: 03-06
Subject: Medical Standards and Procedures		Page: 2 of 7

## **II. Scheduling**

- A. The Chief of Police or the Commander of Administrative Services, in consultation with the Human Resources Director or designee, will require physical examinations of sworn members by designated physicians when it is thought the examination is to the best interest of the members and the Department.
  1. The necessity for the physical examination may be based upon:
    - a. Personal observation of general appearance.
    - b. Recent illness or injury.
    - c. Periodic survey of physical conditioning.

It is the officer's responsibility to either appear at the designated time or notify the Commander of Administrative Services of a conflict in schedule and seek to be re-scheduled when required to have a physical under section "A".
  2. Certain specialized or part-time assignments may require a physical exam as a part of initial appointment or continued assignment.
  3. Comprehensive Physical Assessments (CPAs) will be used as a means to determine the physical well being of sworn members. The Department realizes that there are physical stresses and rigors inherent in police work. It is also realized that, over a period of time, these rigors take a physical toll. Therefore, CPAs will be administered to members on an age adjusted cyclic schedule. The groupings will be:
 

Ages 50 and older	Annually.
Ages 40 to 49	Every two (2) years.
Under the age of 40	Every three (3) years.

The age of members will be determined by their actual age as of June 30 of the fiscal year the CPA is given.
- B. The Chief of Police or designee schedules officer applicants and other applicable Police Department applicants for physical examination as a part of the selection process (see General Order 3-8). The Office of the Chief of Police or designee will also notify current sworn personnel when they are scheduled for their police physical as outlined in section 9.6 of the City Handbook.
- C. Office of the Chief of Police will serve as the point of contact for Human Resources. They will contact the sworn member(s) when they are due for their CPA.
- D. The sworn member must then complete Attachment "A" which consists of the INOVA Medical Center Occupational Health Registration Information form and the Medical Services Information and Instruction Sheet. Attachment "B" remains with the employee and is brought to the appointment by them. The officer must also fill out Attachment "A" which is the appointment confirmation form. The member completes Attachment "A" once they have called and scheduled their appointment. Attachment "A" is then returned to the Office of the Chief of Police. The commander or designee will then fax the form to the Department of Human Resources.
- E. There is no cost to the member or applicant for any physical examination required by the City.
- F. The examining physician may require other specific laboratory tests and / or medical examinations to be performed by another provider. The examining physician is responsible for making the most appropriate referral. Any additional required testing is provided at no cost to the applicant or officer.
- G. Officers or applicants may include medical reports from a private physician or schedule supplemental examinations at their own expense. Officers or applicants should notify the Human Resources Director or HR designee of their intent to seek a supplemental exam prior to the issuance of a final report by the examining physician.

## **III. Reporting and Record Retention**

- A. The examining authority forwards a report and medical classification of the applicant to the Human Resources Director or HR designee.
  1. The Human Resources Director or HR designee reviews the report and medical classification, and notifies the applicant of the results.

Effective Date: 07-20-2011	<b>GENERAL ORDER</b>	Number: 03-06
Subject: Medical Standards and Procedures		Page: 3 of 7

2. The Human Resources Director or HR designee is the final authority to review and approve the medical classification of individuals based on the medical recommendation by the physician. The Human Resources Director or HR designee will work with the Chief of Police during this process if accommodation is requested to see if this is possible and appropriate.
- B. The examining physician forwards the applicant/member's report and medical classification to them.
- C. Medical reports are maintained by the Human Resources Director or HR designee in the member's official personnel file and are kept secure at all times.
- D. The medical reports for applicants not selected for appointment are maintained in a secure area in Human Resources. These reports are retained and destroyed in accordance with state code.
- E. Medical reports are released by the Human Resources Director or HR designee in accordance with applicable legal requirements.

#### **IV. Remedial Action**

- A. Medical classifications other than cleared.
  1. The officer or sworn position applicant that is not classified as cleared may request that the Human Resources Director or HR designee have the report of their physical examination reviewed by a qualified physician at their own expense.
    - a. Such physician shall review the report of the physical examination to determine which medical standard or standards were not met, whether the standard or standards not met are necessary to perform an essential job function of the position as detailed by the Human Resources Director or HR designee, and if meeting such standard or standards is necessary to perform an essential job function, whether a reasonable accommodation can be made to enable the applicant to perform the essential job function.
    - b. After such review, the physician shall forward a written report to the Human Resources Director or HR designee setting forth their recommendations concerning the review.
    - c. The Human Resources Director or HR designee shall review such report and determine whether the sworn employee or applicant can fulfill the essential job functions of the position in question, with or without a reasonable accommodation, despite the failure to meet a standard or standards of a cleared physical.
    - d. If the Human Resources Director or HR designee determines that the applicant can fulfill the essential job functions of the position in question, with or without a reasonable accommodation, then the officer or applicant may continue under the current offer or conditional job offer status.
  2. The Human Resources Director or HR designee is the final authority to medically classify individuals.
- B. The Human Resources Director or HR designee determines whether physical examinations, laboratory tests or other data from private sources may be substituted for or considered in addition to the physician's examination.
- C. In the event that the Human Resources Director or HR designee determines that remedial action is necessary, the officer either complies with the recommendations or provides other medical evidence (at their own expense) that the recommendations should not be followed or will not result in the cleared status.
  1. During this process, the officer makes reports directly to the Human Resources Director or HR designee or designee.
  2. The importance of specificity in a doctor's recommendation regarding an officer's ability to physically perform their duties cannot be overemphasized.
- D. The Human Resources Director or HR designee is the final authority to medically classify individuals, and determine whether an officer is placed on limited duty, sick leave or disability leave following a medical rating or medical advice.

#### **V. Random Drug Screening**

- A. Policy
  1. In accordance with City of Manassas Rules and Regulations, the Manassas City Police Department shall conduct random drug testing of all Police Department employees. This includes

Effective Date: 07-20-2011	<b>GENERAL ORDER</b>	Number: 03-06
Subject: Medical Standards and Procedures		Page: 4 of 7

part time and full time employees considered critical to the safety and security of the public. In addition, all employees shall be subject to substance abuse testing based on reasonable suspicion or "for cause" as defined in the City of Manassas Employee Handbook.

**B. Definition**

1. "Workplace" is defined to mean any site for the performance of work by an employee, including but not limited to a City building or premise, any City-owned vehicle, any building or premise used by the City, for City business, and any non-City property during any City sponsored or City approved activity, event or function. "Workplace" also includes all City-owned property such as, but not limited to offices, desk, lockers, safes, file cabinets, and toolboxes.
2. As a condition of employment, each employee shall notify their supervisor of their conviction of any criminal drug law no later than one working day after such conviction.
3. As a condition of employment, each employee shall abide by the terms of this City's policy and regulations respecting a drug-free workplace. All City worksites and all City-owned property are subject to drug detection inspection at the discretion of the City of Manassas.
4. The possession and/or consumption of illegal drugs or alcoholic beverages in the workplace is prohibited.
5. Violations of this policy and regulations will result in appropriate disciplinary action up to and including termination.

**C. Drug and Alcohol Testing**

1. Drug and/or alcohol tests may be required in the following cases:
  - a. Where an applicant for a City position critical to the safety and security of employees or the public has been given a conditional offer of employment, subject to passage of a drug test.
  - b. Where an employee in a City position critical to the safety and security of employees or the public has been selected for a random drug test by a computer-based program. The percent of employees to be randomly tested is determined by the Office of Human Resources in their sole discretion.
  - c. Where there is reasonable suspicion that a City employee, regardless of position, is under the influence of illegal drugs or alcohol.
  - d. Where a City employee, regardless of position, has been authorized to return to work at the recommendation of the examining physician and the Human Resources Director or HR designee after testing positive for drug or alcohol use and after referral to the Employee Assistance Program. Testing may occur on an unannounced basis as directed by a substance-abuse professional.
  - e. Following a motor-vehicle accident.
  - f. During an employee's annual physical testing.
2. In all cases, a refusal to submit immediately to a drug or alcohol test when requested, including failure to appear for testing without prior notice acceptable to the City or a verified positive test finding of alcohol or illegal drug use or failure to complete a required medical questionnaire will subject the employee to the full range of disciplinary action up to and including dismissal; or in the case of an applicant, the withdrawal of a conditional offer of employment. The City positions determined to be critical to the safety and security of employees or the public for purposes of this policy are determined by and may be amended by the Human Resources Director or HR designee.

**D. Test Procedures in General**

1. The City of Manassas Police random drug and alcohol testing program will be administered in accordance with the Department of Transportation Federal Highway Administration Regulations (hereafter referred to as DOT/FHWA) and the Drug-Free Workplace Act of 1988, as amended. Detailed provisions are listed in the DOT/FHWA regulations regarding collection, labeling, and transporting the sample. Specific requirements regarding confidentiality are also included. An evidential breath-testing device operated by a trained breath alcohol technician will be used to test for the presence of alcohol. Urinalysis will be used for the detection of controlled substances. All employees tested will be required to sign an authorization and consent from releasing the information to the employer. The testing of the sample will be performed by a laboratory approved

Effective Date: 07-20-2011	<b>GENERAL ORDER</b>	Number: 03-06
Subject: Medical Standards and Procedures		Page: 5 of 7

by the National Institute on Drug Abuse (NIDA), including a NIDA panel screening with gas chromatography/mass spectrometry (GC/MS) confirmation on all positive tests. The panel includes screening for amphetamines, marijuana, cocaine, opiates and phencyclidine (PCP). The cutoff level for each substance tested for, both drugs and alcohol, will be consistent with those specified by the DOT/FHWA regulations. The cost for all drug tests ordered will be borne by the City.

2. Any employee subject to testing under this policy and regulations will be permitted to provide urine specimens in a manner such that the employee is not observed while actually providing the specimen. If there is reason to believe that the employee has altered or substituted the urine specimen provided, then a second sample will be obtained under the direct observation of the same gender collection site person. Refusal to submit to any testing, as defined by DOT/FHWA regulations, including failure to appear for testing without prior notice acceptable to the City, will subject the employee to the full range of disciplinary action, up to and including dismissal; or in the case of an applicant, the withdrawal of a conditional offer of employment.
3. When a confirmed positive test result for drugs has been returned by the laboratory, the tested employee will be given an opportunity to provide to the Medical Review Officer appropriate and corroborated information to demonstrate the confirmed positive test result is from a legally prescribed medication or other ingestion. Evidence to justify a positive test result may include, but is not limited to:
  - a. A valid prescription; or
  - b. A written statement from the individual's physician verifying a valid prescription.
4. If the Medical Review Officer determines there is no legitimate reason for the positive result, the result will then be considered a verified positive test result. The Medical Review Officer will timely and confidentially notify the Human Resources Director or HR designee in writing of the verified positive test result. If the test result is positive, the employee will be placed on one (1) day administrative leave with pay. It will be explained to the employee they have twenty-four (24) hours to choose one of two options: 1) undergo rehabilitation; or 2) be terminated. If the employee fails after 24 hours to choose rehabilitation, the employee will automatically be terminated.
5. Before returning to work, an eligible employee will have received an evaluation from the Substance Abuse Professional, have stopped using illegal drugs and/or using alcohol on the job, successfully participated in an approved rehabilitation program required by the substance abuse professional, and taken a return-to-duty drug or alcohol test with a negative result. Failure to do so will be the basis for discipline up to and including termination. The employee will be subject to follow up tests as directed by a Substance Abuse Professional. The employee may submit a written request for a retest of the original specimen within 72 hours of being notified by the examining physician. The retest will be at the employee's expense. If the employee is employed by the Police Department, a positive test result shall be grounds for termination. Any probationary employee testing positive shall be terminated.
6. The laboratory may disclose laboratory test results only to the Medical Review Officer. Any positive result which the Medical Review Officer justifies by acceptable and appropriate medical or scientific documentation to account for the result as other than the intentional ingestion of drugs will be treated as a negative test result and may not be released for purposes of identifying drug use or misuse.
7. If the results of an employee's alcohol test indicate an alcohol concentration of .02 or greater, but less than .04, the employee shall be suspended without pay and shall not be permitted to perform the duties of their position for at least 24 hours and until a retest indicates an alcohol level of less than .02. If the concentration is greater than .04, the test is considered a positive result and the employee must be evaluated by a substance abuse professional. Return-to-duty tests must be conducted prior to returning to the job. The employee will be subject to a minimum of 6 unannounced follow-up alcohol tests. The employee will be subject to follow up tests as directed by a Substance Abuse Professional. All positive tests will be confirmed by a second test. The results of these tests will be reported immediately to the Human Resources Director or HR designee.

Effective Date: 07-20-2011	<b>GENERAL ORDER</b>	Number: 03-06
Subject: Medical Standards and Procedures		Page: 6 of 7

8. All drug testing information specifically relating to the employees and applicants is confidential and should be treated as such by anyone authorized to review such information. The Office of Human Resources shall maintain all applicable records in accordance with DOT/FHWA regulations.
  9. All records and information of any personnel actions involving an employee with verified positive test results shall be maintained in confidential and secured files in the Department of Human Resources and disseminated only to authorized individuals on a confirmed "Need to Know" basis as determined by the Human Resources Director or HR designee in accordance with applicable DOT/FHWA regulations. Employees who are in a "suspension" status or who have tested positive for drugs or alcohol may not have the FMLA job status protection as other employees.
- E. Positions Subject to the City of Manassas Police Department Drug and Alcohol Testing Program  
The Human Resources Office may periodically revise the following list:

Classification Title	Applicant Testing		Random Testing		Reasonable Suspicion Testing		Post-Accident Testing	
	D	A	D	A	D	A	D	A
All Employees			X	X	X	X		
Employees required to possess a CDL	X		X	X	X	X	X	X
<b>Division of Police</b>								
Entry Police Officers	X		X	X	X	X	X	X
Police Officers	X		X	X	X	X	X	X
Animal Protection Officers	X		X	X	X	X	X	X
All Sworn Supervisory Personnel	X		X	X	X	X	X	X
All Non-Sworn Civilian Personnel	X		X	X	X	X	X	X
Communications Personnel	X		X	X	X	X	X	X

D=Drug Test      A=Alcohol Test

Attachments: "A" Annual Physical Appointment Confirmation Form  
"B" Medical Services Form

Index as: ADA.  
Retention of Medical Files.  
Medical Standards – Applicants and Members.  
Drug Screening.  
Physical Examinations.  
Medical Exam Unit.

References: N/A