


Department of Public Safety Policies and Procedures

<u>Title</u> Fitness for Duty	<u>SOP Number</u> 3.2.600
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- I. **Purpose:** To guide University of Cincinnati Police Division (“UCPD”) personnel on specific practices related to return to work, and the reporting of illness, injuries, substance use, or any other condition that may impair job performance and fitness for duty evaluations.
- II. **Policy:** As with all other applicable University of Cincinnati (“University”) policies, UCPD follows the University’s Return to Work Policy – 21.26 and the Reasonable Cause Drug and Alcohol Testing Policy – 15.06. This guidance provides additional information regarding UCPD-specific procedures related to these policies. Furthermore, this guidance prescribes the circumstances under which a UCPD employee may be referred for a fitness-for-duty evaluation. This guidance applies to all UCPD employees who are not covered by a collective bargaining agreement that contains contrary language.
- III. **Procedure:**
 - A. [Work-related illness or injury](#)
 1. An employee who has an occupational/work-related injury or illness must report the incident to his or her supervisor as soon as possible, but not later than 24 hours after the occurrence.
 2. The employee’s supervisor must notify UC Health Employee Health and Wellness Clinic (UCH) at (513) 585-6600 whenever a work-related injury or illness occurs.
 3. The employee and the supervisor must complete the University of Cincinnati Initial Report on Work-related Injury or Illness [Form # A-1352(a)] regardless of the extent of injury or illness.
 - a. For a documented work-related illness or injury, the supervisor may initiate the form on behalf of the employee.
 - b. If it is not clear to the supervisor that the injury or illness occurred while the employee was on duty, the supervisor will have the employee complete the form.
 4. The supervisor should process this form according to the instructions printed on the form.
 5. Forms can be obtained from:
 - a. the Departmental Business Office
 - b. Environmental Health and Safety Web Page (<https://ehs.uc.edu>)
 - c. Environmental Health and Safety (556-4968)
 6. Returning To Work With Restrictions After a Work-Related Illness or Injury
 - a. As with all other applicable University-wide policies, UCPD follows the [WORK-RELATED INJURIES AND ILLNESSES 12.2](#).
 - b. In the event an employee experiences a work-related illness or injury and files a Workers’ Compensation claim, the following applies:
 - 1) The employee must submit a licensed healthcare professional’s return to work statement to UCH. This statement must include:
 - Return to work date
 - List of specific restrictions

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- Duration of restrictions
- Date of the next medical evaluation
- 2) If released to return to work, UCH will provide the employee with a Return-to-Work form to be presented to the supervisor before returning to the work site. This form will be retained in the employee's work file and a copy uploaded to the HR portal.
- 3) The employee may be responsible for medical charges until or unless the Bureau of Workers' Compensation and the University's Managed Care Organization authorize treatment.
- c. Employees who return to work with restrictions must continue to visit UCH for the duration of restriction(s).
- d. Modified duty will be determined and authorized through the Chief of Police, Director of Public Safety, or designee.
 - 1) Unless authorized by the Chief of Police or designee, an employee on restricted duty shall not work or be assigned, any special event detail or overtime assignment. This includes uniform, plain-clothes security, or dignitary protection detail ([See UCPD Light Duty Status Form 7](#)).
- 7. Returning to Work Without Restrictions
 - a. Employees initially returning to work from an absence of 5 or more consecutive workdays without restrictions must submit a licensed healthcare professional's statement indicating the employee can resume all work duties. The employee must deliver the statement to their supervisor before returning to the work site. The statement will be uploaded to the HR portal and also sent to LOADM@uc.edu.
 - b. This statement must be retained in the employee's work file.
- B. Non-Work-Related Injury/Illness
 - 1. If an employee is returning to work with restrictions that are NOT due to a work-related event, they are NOT required to report to UCH.
 - a. Employees will receive a UC (non-work-related) [Return to Work form](#) to be completed by the employee and their healthcare provider.
 - b. This form must be submitted to Central HR at LOADM@uc.edu 7 calendar days before the return-to-work date.
 - 2. When an employee is released from restricted duty by a healthcare provider, they may report directly to their worksite and present the healthcare provider's release note to their supervisor.
 - 3. If an employee is returning to work with no restrictions after a non-work-related event, they may report directly to their worksite and present their healthcare provider's release note to their supervisor.
 - 4. Supervisors are to report full-duty release notes to LOADM@uc.edu.
- C. Reporting of Substance Use That May Impair Job Performance
 - 1. As with all other applicable University-wide policies, UCPD follows the [University's Reasonable Cause Drug and Alcohol Testing Policy – 15.06](#).
 - 2. When an employee must use any substance or drug, including prescription or over-the-counter medication, that has the potential to impair job performance,

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the employee shall inform University Health Services (UHS) and indicate the known side effects of the substance or drug and the employee's anticipated period of use. UCH will assess the medication list to ensure the employee is fit for duty.

3. If UCH determines that the employee's use of the substance or drug will impair their ability to safely perform their job duties, the employee may be temporarily reassigned to other duties, if appropriate and available, or be required to take leave.
4. Failure to fully and timely comply with this requirement may be cause for disciplinary action, up to and including termination.

D. Fitness for Duty Evaluation

1. An employee who has a non-work-related injury, illness, or other condition that impedes their ability to perform their typical job duties, must report their condition to his or her supervisor as soon as possible, but not later than 24 hours after recognizing an inability to perform normal duties.
2. If an employee is having observable difficulty performing work duties in a manner that is safe for the employee and/or co-workers or is posing an imminent and serious safety threat to self or others, the employee's supervisor may refer the employee for a fitness for duty evaluation. The determination by a supervisor to refer an employee for a fitness-for-duty evaluation must involve consultation with the Central Human Resources Labor Relations Department unless the situation requires immediate attention.
3. An impartial, independent healthcare professional chosen by the University with appropriate expertise will conduct the fitness for duty evaluation. UCPD will pay the cost of the fitness for duty evaluation.
4. An employee referred for a fitness for duty evaluation will be relieved of their duties pending the results of the fitness for duty evaluation.
 - a. If the employee is found to be unfit for duty, their employment status will be determined on a case-by-case basis, following University policy and procedure and in consultation with Labor Relations.
 - b. An employee's pay status, while the fitness for duty evaluation is being determined, will be dependent on the employee's employment status and the facts of the case.
 - c. Before returning to work, the employee must provide their supervisor with documentation from the health care professional, who conducted their fitness for duty evaluation, stating that the employee is fit for duty.
 - d. All documents will be uploaded to the HR portal. In addition, the documents will be sent to LOAADM@uc.edu and emplabor@uc.edu.
5. If an employee does not comply with a request for a fitness-for-duty evaluation, such noncompliance may constitute insubordination and result in disciplinary action, up to and including termination.
6. Referral of an employee for a fitness for duty evaluation is not a substitute for other University policies or procedures related to performance. In addition, the application of this policy is not a substitute for discipline. In any situation

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involving misconduct, disciplinary action, up to and including termination, may occur.

E. Training and Certifications Upon Returning to Work

1. The Training Section Supervisor will ensure that a quarterly training audit is conducted to determine any outstanding employee training or certification requirements that have not been completed due to extended leave.
2. After each quarterly training audit, supervisors who have employees who have outstanding training or certification requirements will be advised.
3. The employee's supervisor will notify the Training Section Supervisor of the employee's status as it relates to the outstanding training or certification.

References

UC WORK-RELATED INJURIES AND ILLNESSES 12.2

UC Reasonable Cause Drug and Alcohol Testing 15.06