



City of Pittsburgh  
Operating Policies

<b>Policy: Employee Fitness For Duty Examinations</b>	<b>Original Date: March 1, 2009</b>
	<b>Revised Date: January 17, 2011</b>

**PURPOSE:** To ensure that the procedures for fitness for duty examinations follow the established standardized processes and are in accordance with the City of Pittsburgh Civil Service Statutes and Rules.

**POLICY STATEMENT:** The following policy is in accordance with the Civil Service Rule III, Section 10 E pertaining to Fitness for Duty examinations.

*Disclaimer: No statements in this policy are intended or set forth as contractual commitments or obligations of the City to any individual employee or group of employees, or to establish an exception to the employment-at-will doctrine beyond that specified in the Civil Service Statutes and Rules or pertinent collective bargaining agreement. If there are differences between the various collective bargaining agreements and this policy, the pertinent collective bargaining agreement takes precedence.*

## **DEFINITIONS**

Fitness for duty examinations are covered under the City of Pittsburgh's Civil Service Rule III, Section 10 E. Examinations for fitness for duty are to determine the mental or physical soundness of an employee to be able to continue to perform the essential functions of the job.

Fitness for duty examinations may be medical, psychological or psychiatric in nature. All fitness for duty requests must be presented before the Civil Service Commission for approval.

## **COMPENSATIONS**

The City of Pittsburgh, Department of Personnel and Civil Service Commission will pay for all initial fitness for duty examinations and any/all required follow up evaluations. Employees, who are referred by the City medical physician or a psychologist/psychiatrist (depending on the nature of the case) for further courses of treatment before returning to work, will be required to use their health care insurance to cover the cost of this treatment and they can choose their own physicians for the referral treatment.

Employees will be placed on the City's payroll "AP" code and will continue to be paid until an outcome has been rendered regarding their fitness for duty.

## **I. INITIAL FITNESS FOR DUTY EXAMINATIONS**

### **PROCEDURES – Request a fitness for duty exam:**

- Based on Civil Service Rule III, Section 10 E, a City of Pittsburgh department director may officially request a fitness for duty (FFD) evaluation for an employee in their department. The request must be in writing to the Director of the Department of Personnel and Civil Service Commission (P&CSC). (*see sample request letter*)
- The P&CSC director may discuss the request with the director to determine if the situation clearly falls under the guidelines of Civil Service Rule III, Section 10 E. The P&CSC Director may offer other avenues for problem resolution (e.g., the EAP, disciplinary action, etc.) before proceeding with a FFD examination.
- If the P&CSC director and department director agree to proceed with a FFD, the request will be forwarded by the P&CSC Director to the Civil Service Commission's Secretary and Chief Examiner to present for review at the Civil Service Commission's next scheduled meeting. All information presented and discussed will be treated as confidential and no specific information other than the Commission's decision on the request for the FFD will appear in the Commission's meeting minutes.

### **PROCEDURES – Processing/Scheduling an approved request for a fitness for duty exam:**

- If the Civil Service Commission approves the FFD request, the Secretary and Chief Examiner will supply the P&CSC Employment Clerical Specialist 2 with a copy of the original FFD request.
- The Secretary and Chief Examiner will inform the P&CSC Employment Clerical Specialist 2 staff of the case. The P&CSC Employment Clerical Specialist 2 will schedule the employee for the FFD with either the City medical physician or a psychologist/psychiatrist (depending on the nature of the case) as the first evaluation assessment and supply the clinician with a copy of the requesting letter and the employee's job description and/or the essential functions checklist for the position.
- The P&CSC Employment Clerical Specialist 2 will generate the appointment letter (*see sample letter*). The original letter goes to the employee, hand delivered by the requesting department director's designee. Copies of the letter will be issued to the appropriate Law Department Assistant City Solicitor, and the Secretary and Chief Examiner.
- The Secretary and Chief Examiner will contact the requesting department director to inform him/her that the Civil Service Commission approved the request. In addition the director will be instructed to inform the employee that they will be scheduled for the FFD exam and they (the employee) will receive an exam appointment letter (to be hand delivered to the employee by the director and/or his/her designee).

### **PROCEDURES – The initial fitness for duty exam:**

- The City's Civil Service physician or a psychologist/psychiatrist (depending on the nature of the case) examines the employee based on the supplied information in the requesting letter and the accompanying job data.

- The City's Civil Service physician or a psychologist/psychiatrist will determine if the employee is fit for duty, not fit for duty, or refer the employee to a psychologist, psychiatrist, or other medical specialist for further evaluation to determine fitness for duty.
- The City's Civil Service physician or a psychologist/psychiatrist determination, including any referrals, will be put in writing and transmitted to the P&CSC Director, with copies to the Secretary and Chief Examiner, and the P&CSC Employment Clerical Specialist 2.

**PROCEDURES – The initial fitness for duty exam determination:**

**A. If the employee clears or passes the initial FFD exam:**

- The P&CSC Employment Clerical Specialist 2 will inform the requesting department director that the employee may return to work. If the department director is dissatisfied with the outcome or results, he/she will be directed to speak with the P&CSC Director or Secretary and Chief Examiner for further options (e.g., discipline, further evaluations, ADA, etc.). All discussions will be followed up with written documentation to be put in the employee's FFD file and/or medical file.
- The P&CSC Employment Clerical Specialist 2 will send the employee a FFD results letter. Copies will go to the Secretary and Chief Examiner and the requesting department director. (*see sample letter*)

**B. If the employee does not clear or pass the initial FFD exam:**

- The Secretary and Chief Examiner will be responsible for informing the requesting department director of the FFD results, let the director know that the employee may not return to work, and discuss a course(s) of action.
- All discussions will be followed up with written documentation to be put in the employee's FFD file and/or medical file.
- The P&CSC Employment Clerical Specialist 2 will send the employee a FFD results letter and depending on the nature of the situation, may also include an Employee Leave of Absence packet for the employee to request a leave of absence while being off from work. Copies will go to the Secretary and Chief Examiner and the requesting department director. (*see sample letters*)

**C. If the employee does not clear or pass the initial FFD exam BUT is referred for further evaluation(s):**

- The Secretary and Chief Examiner will be responsible for informing the requesting department director of the FFD results, let the director know that the employee may not return to work, and discuss a course(s) of action or subsequent referral evaluations.
- All discussions will be followed up with written documentation to be put in the employee's FFD file and/or medical file.
- The P&CSC Employment Clerical Specialist 2 will send the employee a FFD results letter, a referral schedule letter, and depending on the nature of the situation, may also include an Employee Leave of Absence packet for the employee to request a leave of absence while being off from work. Copies will go to the Secretary and Chief Examiner and the requesting department director. (*see sample letters*)

## II. REFERRAL FITNESS FOR DUTY EXAMINATIONS

### PROCEDURES – The Referral fitness for duty exam:

- The physician/clinician to whom the employee is referred by the City's Civil Service physician or a psychologist/psychiatrist will conduct one examination of the employee based on the supplied information in the documentation from original evaluating clinician and the accompanying job data.
- The physician/clinician will determine if the employee is fit for duty, not fit for duty (with or without further course(s) of action).
- The determination, including any course(s) of action, will be put in writing and transmitted to the original evaluating clinician who will transmit the report to the P&CSC Director, with copies to the Secretary and Chief Examiner, and the P&CSC Employment Clerical Specialist 2.

### PROCEDURES – Referral fitness for duty exam determination:

#### A. If the employee clears or passes the referral FFD exam:

- The P&CSC Employment Clerical Specialist 2 will inform the requesting department director that the employee may return to work. If the department director is dissatisfied with the outcome or results, he/she will be directed to speak with the P&CSC Director or Secretary and Chief Examiner for further options (e.g., discipline, further evaluations, ADA, etc.). All discussions will be followed up with written documentation to be put in the employee's FFD file and/or medical file.
- The P&CSC Employment Clerical Specialist 2 will send the employee a FFD results letter. Copies will go to the Secretary and Chief Examiner and the requesting department director. (*see sample letter*)

#### B. If the employee does not clear or pass the referral FFD exam:

- The Secretary and Chief Examiner will be responsible for informing the requesting department director of the FFD results, let the director know that the employee may not return to work, and discuss a course(s) of action.
- All discussions will be followed up with written documentation to be put in the employee's FFD file and/or medical file.
- The P&CSC Employment Clerical Specialist 2 will send the employee a FFD results letter and depending on the nature of the situation, may also include an Employee Leave of Absence packet for the employee to request a leave of absence while being off from work. Copies will go to the Secretary and Chief Examiner and the requesting department director. (*see sample letters*)

#### C. If the physician/clinician recommends further treatment sessions before the employee can be cleared fit for duty:

- The Secretary and Chief Examiner will be responsible for informing the requesting department director of the FFD results, let the director know that the employee may not return to work and discuss a course(s) of action or subsequent referral evaluations.

- All discussions will be followed up with written documentation to be put in the employee's FFD file and/or medical file.
- The P&CSC Employment Clerical Specialist 2 will send the employee a FFD results letter, a referral schedule letter, and depending on the nature of the situation, may also include an Employee Leave of Absence packet for the employee to request a leave of absence while being off from work. Copies will go to the Secretary and Chief Examiner and the requesting department director. (*see sample letters*)



**SAMPLE EMPLOYEE FFD APPOINTMENT LETTER**

DATE

NAME  
ADDRESS

Dear NAME:

Department of \_\_\_\_\_ DIRECTOR/CHIEF has requested that you undergo a Civil Service Physical examination pursuant to Rule III, Section 10 (E) of the Civil Service Commission.

Section 10(e) reads:

“When, in the opinion of the department head or authorized supervisor, an employee of the said department is physically or mentally incapable of performing the duties of his/her position, the department head or authorized supervisor may require the employee in question to submit to a physical or mental examination by reputable physician(s). The results of such examinations may be submitted to the department head or authorized supervisor for consideration in making work assignments for such employees. The written findings of such physician(s) may be deemed a just cause for charges of physical or mental disability.”

In accordance with this rule, you have been scheduled for a physical examination, on DAY/DATE, at TIME, at UPMC Mercy OccuNet, Mercy Health Center Building, 2<sup>nd</sup> Floor, 1515 Locust Street, Pittsburgh, PA 15219.

After your examination on DATE, you may be scheduled for further evaluation, in accordance with the Civil Service Physician’s recommendations. You will be informed of any details in subsequent correspondence.

I hope this information is helpful to you. Thank you for your cooperation.

Sincerely,

NAME  
Manager of Employment, Secretary & Chief Examiner  
Department of Personnel & Civil Service

cc: Requesting Department Director

**TEMPLATE FOR RESULTS LETTER TO EMPLOYEE**

**FITNESS FOR DUTY EVALUATION  
REPORT FROM PHYSICIAN**

**CANDIDATE:**

Name  
Address  
ID #  
Phone #

**ASSESSMENT:**

Date:  
Location:  
Sources of Data:

Conducted by:

**BACKGROUND INFORMATION**

**TEMPLATE "FIT FOR DUTY" RESULT LETTER TO EMPLOYEE**

(date)

candidate name  
address  
city, state zip

Dear :

The result of your City of Pittsburgh Fitness For Duty evaluation is as follows.

It has been determined by the Civil Service evaluating physician that you are fit for duty and able to return to work.

Thank you for you cooperation in this matter.

Sincerely,

NAME  
Director o f Personnel

Cc: Civil Service Commission  
Clerical Specialist 2  
Manager of Employment, Secretary & Chief Examiner  
Department Director

**TEMPLATE "NOT FIT FOR DUTY" RESULT LETTER TO EMPLOYEE**

(date)

candidate name  
address  
city, state zip

Dear :

The result of your City of Pittsburgh Fitness For Duty evaluation is as follows.

It has been determined by the Civil Service evaluating physician that you are not fit for duty and you may not return to work at this time.

The reason for you not being fit for duty is .....

The evaluating physician has recommended.....

You may be eligible for an official leave of absence during the period you will be off from work for further evaluation. You must complete the required leave of absence paperwork included with this letter and return it to the Department of Personnel and Civil Service. You can contact the Employee Leaves Coordinator at 412-255-2713 regarding a leave of absence if you have further questions.

If you have an ADA issue with regard to the results of your fitness for duty, please let us know in writing.

Thank you for you cooperation in this matter.

Sincerely,

NAME  
Director of Personnel

Cc: Civil Service Commission  
Clerical Specialist 2  
Manager of Employment, Secretary & Chief Examiner  
Department Director

**TEMPLATE "NOT FIT FOR DUTY – BUT REFERRAL REQUIRED" RESULT LETTER TO EMPLOYEE**

(date)

candidate name  
address  
city, state zip

Dear :

The result of your City of Pittsburgh Fitness For Duty evaluation is as follows.

It has been determined by the Civil Service evaluating physician that you are not fit for duty and you may not return to work at this time.

The reason for you not being fit for duty is .....

The evaluating physician has recommended that you be referred for further evaluation ....

You may be eligible for an official leave of absence during the period you will be off from work for further evaluation. You must complete the required leave of absence paperwork included with this letter and return it to the Department of Personnel and Civil Service. You can contact the Employee Leaves Coordinator at 412-255-2713 regarding a leave of absence if you have further questions.

If you have an ADA issue with regard to the results of your fitness for duty, please let us know in writing.

Thank you for you cooperation in this matter.

Sincerely,

Name  
Director of Personnel

Cc: Civil Service Commission  
Clerical Specialist 2  
Manager of Employment, Secretary & Chief Examiner  
Department Director