



**TRAVIS COUNTY EMERGENCY SERVICES DISTRICT No. 2
PFLUGERVILLE FIRE DEPARTMENT
POLICY**

SUBJECT: FIT FOR DUTY

POLICY NUMBER: ADM 031

AUTHORIZED: NICHOLAS L PERKINS, FIRE CHIEF

ORIGINAL DATE: 2020

PREVIOUS VERSION DATE: 01/03/2020

REVISION DATE: 08/04/2023

I. Purpose

To ensure that District employees are physically and mentally capable of performing the essential duties of their position in a safe and effective manner.

II. Scope

This policy applies to all District employees. It is the responsibility of each member of the Fire Department to read and comply with this policy. Failure to comply may result in discipline up to and including termination.

III. Policy

Employees must be able to perform his or her job duties in a safe and effective manner and avoid any safety hazard to themselves, to other employees, or to the public.

A. Employee Responsibility:

1. To manage his or her health and actions in such a way that he or she can safely perform the job duties of his or her position;
2. To notify his or her immediate supervisor when not fit-for-duty;
3. To notify his or her immediate supervisor when taking certain prescribed or over the counter medications that may potentially impair ability to perform job, as per the medication's warning label or applicable medication guide; and
4. To notify his or her immediate supervisor when another employee is observed acting in a manner that indicates that the employee may not be fit-for-duty.

B. Supervisors' Responsibility:

1. To observe the behavior of employees for alertness, vision, speech, memory, concentration, and coordination;
2. To communicate with an employee when there is an observed behavior that creates concern and to allow the employee to explain his or her actions;
3. To consult within the chain of command and Human Resources (HR) on whether the employee should be relieved of work duties immediately for safety reasons;
4. To consult within the chain of command and HR on whether an employee should be referred for a fitness for duty evaluation by the District's retained physician.

C. Annual Medical Evaluation:

Each year firefighters will be evaluated by the District's retained physician to ensure they are fit-for-duty in accordance with NFPA 1582.

1. A firefighter who is not medically cleared after the annual medical evaluation for fitness reasons (i.e. not reaching 12 metabolic equivalents) will be counseled by the District's retained physician. He or she will be placed on a supervised prescriptive health and fitness program as appropriate (may include a modified duty status). He or she shall be medically re-evaluated within 90 days.
2. A firefighter who is not medically cleared following 90-day medial re-evaluation will have recommendations forwarded by the District's retained physician to the Assistant Chief and HR where a course of action will be identified. Firefighters may be responsible for any additional medical expense(s).

D. Quarterly Fitness Assessments:

Firefighters must be able to perform quarterly fitness assessments to meet the minimum job performance requirements. A firefighter must be able to perform the quarterly fitness benchmarks and assigned tasks at any training event prescribed as follows:

1. Participate in, and complete the four annual benchmarks, as defined in ADM 030-01 Health Related Fitness Program, and
2. If a firefighter is not on regular duty based on leave or work status, the firefighter will complete the missed benchmark during an available make-up session, which are generally scheduled 3-6 weeks after the initial assessment date, and
3. If make-up benchmarks are not available, a minimum of three out the four annual benchmarks must be completed, and
4. May not miss two consecutive benchmarks in a row, and
5. May not miss the same benchmark in two consecutive years, and
6. One or more make-up benchmarks may be required for any return to duty status secondary to extended periods of time absent from normal duty and missed benchmarks.

Firefighters who fail to meet the performance criteria, will be counseled by their Company Officer. Additionally, any firefighter failing to complete a fitness benchmark or perform assigned tasks at any training event may be referred for a fitness-for-duty evaluation.

1. The Shift Commander will be notified when a firefighter who has been medically cleared as fit-for-duty but is unable to finish a fitness benchmark or a training event task.
2. The Shift Commander will notify the Assistant Fire Chief and HR. The firefighter may be sent for a fit-for-duty evaluation. Upon fitness determination to perform full-duty, the firefighter will remain on an operational shift. The firefighter will be given 30 days from the date they were unable to meet the benchmark to re-test and pass the fitness benchmark.
3. If the firefighter is unable to complete the benchmark a second time, they are placed in a modified duty assignment, and on a prescriptive fitness program supervised by the Health & Fitness Coordinator and under periodic review of the District's retained physician.
4. A firefighter who is unable to fully perform all essential tasks, because of a medical condition, must notify their supervisor who will notify the Shift Commander. The Shift Commander will notify the Assistant Fire Chief and HR. The firefighter may be sent for a fit-for-duty evaluation and will

only return to work upon determination by the District's retained physician that there is no restricted activity.

E. Fit For Duty Evaluation:

If an employee is referred for a fitness-for-duty evaluation, his/her immediate duty and pay status will be determined on a case-by-case basis in consultation with the Fire Chief or his or her designee. Applicable leave accruals may be charged for leaves of absence from work.

In all cases, an employee who has been referred for a fitness-for-duty evaluation must provide documentation of his or her fitness-for-duty (either with or without restrictions) in order to be considered for return to work. The Fit For Duty Form ADM 031a will be completed and signed by the District's retained physician. A Return to Work Form ADM 029a may also be required if indicated by medical condition and physician's prerogative with respect to modification of duties.

IV. Modified Duty

An employee may be placed in a Modified Duty Status when a fitness condition temporarily limits the ability of an employee to perform their normally assigned tasks and responsibilities.

- A. Placement in Modified Duty Status requires a fitness evaluation by the District retained physician. HR in consultation with the employee's supervisor and Section Chief or Director will consider a request for modified or light duty assignment only after receipt of appropriate Return-To-Work Form ADM 029a.
- B. While Modified Duty Assignments may be available that meet restricted activity prescribed by the District's retained physician, it is not automatically guaranteed or awarded. A modified duty assignment is for temporary activity restriction which typically does not exceed six months. It is not an accommodation for a condition that is considered a disability. A modified duty assignment does not create an entitlement to a position for which the employee is temporarily assigned.
- C. If the injury/illness occurs in a duty status, the condition is covered under Workers' Compensation Insurance, and the District will make every attempt to locate a modified duty assignment. If the injury/illness occurs in an off-duty status, the condition is not covered under Workers' Compensation Insurance, thus the modified duty assignment is at the discretion of the Fire Chief or his or her designee. The Fire Chief or his or her designee will review each situation on a case-by-case basis in accordance with District policies, and applicable laws and regulations, prior to granting a modified duty assignment.
- D. If an employee's health condition presents a significant health and or safety risk to other employees, clients served, or the public, he or she shall not report for duty. A District employee, who is off-duty due to personal illness, particularly when the illness is a communicable disease, may be subject to a referral for a fitness for duty evaluation by the District's retained physician prior to assignment back to active duty.

V. Definitions

- None

VI. Attachments

- None

VII. Forms

- ADM 031a Fit For Duty Form