

What is a Fitness for Duty Examination

The Americans with Disabilities Act (ADA) permits fitness for duty examinations of employees only if they are job related and consistent with business necessity. Objective evidence is needed to make this show. Here is an explanation of when such exams are allowed, including examples of what might constitute objective evidence.

A fitness for duty examination is a medical exam to determine whether a current employee is physically or mentally capable of performing their job duties.

To require a fitness for duty examination, an employer must have a reasonable belief based on objective evidence, not assumptions or stereotypes, that an employee's ability to perform essential job functions will be impaired by a medical condition or the employee will pose a direct threat due to a medical condition.

For example, a crane operator becomes light-headed, out of breath and must sit down abruptly. The employer might have a reasonable belief, based on objective evidence, that this worker will pose a direct threat while working on the construction site, and therefore may require the employee to undergo a medical examination to determine if these symptoms make the worker unfit to perform the job.

Leave without pay is a last resort, reassignment to an open position for which the employee is qualified must be considered as reasonable accommodation if the employee has a covered ADA disability and accommodation in the current position is not reasonably possible.

All examinations must be consistent with business necessity and job-related.

Recommended Fitness for Duty Steps

1. Refer to the "Fitness for Duty Provider" list. Schedule an appointment.
2. Schedule a meeting with the employee to advise them of the appointment, date, and time. At this meeting if there are concerns regarding the employee's ability to work, you can put them on paid administrative leave until you get the results of the evaluation(s).
3. Compose your letter to the doctor. Refer to "Fitness for Duty Provider Referral Letter" template. Your letter to the doctor should also include the following forms from the website:
 - a. Fitness for Duty Certification
 - b. Fitness for Duty Med Authorization
4. Once the evaluation has been completed and the doctor has completed the "Fitness for Duty Certification", the doctor should note whether the employee is released back to work at full duty or possibly modified duty with restrictions. If restrictions have been placed on the employee, an Interactive Process meeting should take place to determine if you are able to reasonably accommodate.

If you have questions whether a Fitness for Duty evaluation is necessary at any time, please contact:

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