

Title:	<b>Return to Work Medical Evaluations</b>	
Purpose:	To establish procedures for medical evaluations prior to return to duty after extended lost time due to work or non-work injury or illness.	
Issued by:	Health Services	Date: February 15, 2005
References:	Civil Service Rules §9-2(b); Civil Service Circular 1405 (10-21-83)	

The appointing authority may request a return to work medical evaluation to determine if an employee who has been on leave for an extended period is able to safely perform the essential functions of the employee's present position in such a manner that would not pose a direct threat to the health and safety of the employee or to others. Departments desiring to utilize the services of the City's designated physician or examiner in determining an employee's fitness to return to duty after an extended absence shall have an established procedure, approved by the Director of Human Resources (Director), which is uniformly applied to all employees within a class without discrimination. The City's designated physician or examiner shall make the final determination of the employee's medical fitness for duty.

#### **I. PROCEDURES FOLLOWED BY APPOINTING AUTHORITY**

- A. Employees that have been absent from work in excess of the number of days specified in the respective department's policy shall, at their option, have their treating physician complete the Treating Physicians' Clearance to Return to Work form (Attachment A). The employee shall be instructed that the use of this form is voluntary, although it will facilitate the employee's clearance to return to work. The employee may elect not to have his/her physician complete the form and instead schedule an appointment with the Health Services Division (HSD) for evaluation by the City's designated physician or examiner prior to returning to work.
- B. A copy of the employee's job description and position physical effort analysis should be provided to the HSD prior to the employee's anticipated date of return to work.
- C. Employees who have been cleared by their treating physician to return to work but have not yet been cleared by the City's designated physician or examiner, shall not be allowed to return to work until cleared by the City's designated physician or examiner.

#### **II. PROCEDURES FOLLOWED BY HEALTH SERVICES DIVISION**

- A. If the employee elected to have his/her treating physician complete the Treating Physician's Clearance to Return to Work form, the City's designated physician or examiner shall review the form upon receipt, and make a determination if it will be necessary to physically examine the employee, or if the employee can be cleared to return to work based on the information provided by the employee's treating physician.
- B. If the employee elected not to have his/her treating physician complete the Treating Physician's Clearance to Return to Work form, or if the form was incomplete or did not contain sufficient information, the City's designated physician or examiner shall evaluate the employee to determine if the employee can be cleared to return to work.

- C. If additional information is required in order to make a determine if the employee can be cleared to return to work, the City's designated physician or examiner may consult with the employee's treating physician, after obtaining authorization from the employee.
- D. An examination and/or evaluation by an outside medical specialist(s) may be required to assist the City's designated physician or examiner in completing the return to work evaluation. The cost of such outside medical evaluation(s) shall be the responsibility of the employing department.

### **III. PROCEDURES FOLLOWED BY EMPLOYEE**

- A. If the employee elected to utilize the Treating Physician's Clearance to Return to Work form, the employee shall sign and deliver the form to the treating physician and assure the form is delivered to the HSD in a timely manner. If the employee elected not to utilize the form, the employee shall schedule an appointment with the HSD to be evaluated by the City's designated physician.
- B. The employee shall attend the scheduled appointment with the City's designated physician or examiner, if required, and fully cooperate with the evaluation process.
- C. The employee shall provide written authorization for the release of personal medical records, as appropriate, in order for the City's designated physician to complete the evaluation.

### **IV. PROCEDURES FOLLOWEING RETURN TO WORK EVALUATION**

- A. If the City's designated physician or examiner determines the employee can safely return to work in the employee's regular position, the employee's department shall be notified that the employee is fit for duty.
- B. If the City's designated physician or examiner determines the employee requires additional treatment prior to returning to work, the City's designated physician or examiner shall discuss the recommendations with the employee and the employee's treating physician, if applicable.
- C. If the City's designated physician or examiner determines the employee cannot safely perform the essential functions of the employee's present position, the appointing authority shall be notified in writing, identifying the essential function(s) and/or job requirement(s) the employee cannot perform. The notification should also indicate, where known, whether the limitation(s) is permanent or temporary, and if temporary, the estimated duration. The City's designated physician or examiner may include recommended accommodations for consideration by the appointing authority that would allow the employee to return to work, either temporarily or permanently, in a modified position.
- D. In determining if a person is qualified for continued employment, the appointing authority shall review medical as well as other pertinent information from the City's designated physician or examiner, the employee, and any other appropriate source regarding the person's ability to safely perform the essential functions of the position. The review and evaluation of information shall include, when applicable, discussion

- with the employee regarding possible reasonable accommodations that would permit the employee to perform the essential functions of the position.
- E. If it is determined that an employee cannot safely perform the essential functions of the position and the department is unable to provide reasonable accommodations, where applicable, or other suitable employment for the employee, the appointing authority shall notify the Director in writing prior to taking any action. The notification shall outline the proposed action of the appointing authority regarding the employee's continued employment, and provide justification for the action proposed.
  - F. Upon concurrence by the Director and in accordance with the Civil Service Rules, the appointing authority shall notify the employee in writing of the reason(s) for the disqualification and the action being taken. Options available for the department may include, but are not limited to:
    - 1. Placement of the employee into another position within the City compatible with the employee's ability.
    - 2. Termination of the employee if no other acceptable position is available.