Title:	**PLACEMENT POLICY FOR NON-WORK INJURED EMPLOYEES**	
Purpose:	To establish a policy for non-work injured City employees seeking assistance with placement in alternative positions.	
Issued by:	Employment and Personnel Services Division and Equal Opportunity Office	Date: April 2, 2018
References:	Americans with Disabilities Act, Title I; Hawaii Revised Statutes (HRS) Chapter 378 Employment Practices; Revised Charter of the City and County of Honolulu (RCH) § 6-1102; Civil Service Rules § 2-4, General responsibilities of departments and § 9-4, Failure to meet employment requirements; Personnel Manual Reference XIV-2, Reasonable Accommodation for Individuals with Disabilities; Administrative Directive 430	

I. POLICY

The City and County of Honolulu (City) will assist eligible non work-injured or ill employees, who are unable to meet the medical requirements of their present job, with potential placement in a suitable alternative position with the City. This policy is meant to be consistent with and supplement the Reasonable Accommodation for Individuals with Disabilities Policy.

II. ELIGIBILITY

A. This policy covers City employees who, due to non-work related injuries, illnesses, or medical conditions, are unable to permanently perform their regular work.

B. All employees, regardless of employment status, are covered by this policy. Placement under this policy, however, will be limited to the same or a lesser employment status as the employee's current assignment.

III. GENERAL PROVISIONS

A. Any action taken within the provisions of this policy shall comply with existing laws, rules and regulations, including the Americans with Disabilities Act, as amended.

B. An employee who, due to a non-work related injury, illness or medical condition, is unable to perform the essential functions of his/her current position, may request assistance with potential placement in a suitable alternative position. Seeking placement assistance will be considered a request for reasonable accommodation and handled in accordance with applicable laws, rules, policies and terms of collective bargaining agreements.

C. Even in the absence of a request by the employee, departments shall discuss the policy with the affected employee and initiate potential placement actions, as applicable, prior to any action to remove the employee for failure to meet medical

requirements of their position and/or to perform the essential functions of their job because of a non-work related injury, illness or medical condition.

D. Potential positions that may be identified as suitable placement options for an eligible employee shall be:

1. Vacant and funded;

2. Assigned the same employment status as that of the employee's current position; and

3. Paid at the same or lower level, but not higher than that of the employee's existing position.

E. Placement under this policy will be made in compliance with applicable laws, rules, policies and terms of collective bargaining agreements.

IV. RESPONSIBILITIES

A. Departments and Agencies

Departments and agencies are primarily responsible for the placement of employees who, due to non-work related injuries, illnesses, medical conditions, or disabilities, are unable to continue performing the essential functions of their current positions. When appropriate internal placement alternatives are exhausted, Citywide placement efforts may be requested.

1. Before considering the placement of an employee in an alternative position, the department or agency must first determine if reasonable accommodation, including but not limited to, task reassignments, modification of tools or equipment, purchase of special aides and/or modification of work areas would allow the employee to perform the essential functions of his/her current position.

2. When remaining in the employee's current position is not possible, the department or agency must consider potential assignment to other internal vacant, funded positions at or closest to the employee's existing pay, followed by vacant, funded positions at the next lower level of pay, and so on. Employees will not be placed in positions that are compensated at levels of pay that are higher than that of their current positions.

3. An employee when placed in a position, must meet minimum qualification requirements and be able to perform the duties and responsibilities of the position, with or without reasonable accommodation.

4. If more than one suitable placement option is identified, the department or agency should discuss the available positions with the employee and seek to place the employee in the position that he/she prefers.

5. Generally, placement considerations will not require obtaining additional medical information from the employee. If there are unique physical or mental requirements of the potential placement position, they should be discussed with the employee first and, if necessary, the employee may be asked to provide a medical assessment of his/her medical fitness to perform the essential functions of the placement position, with or without an accommodation.

6. Placement action should not require the employee to submit an application and/or participate in a selection interview. This does not preclude an appropriate discussion with the employee about the position, job-specific requirements, work location, or other relevant information about the position.

7. If potential placement options are not identified after at least 90 calendar days of ongoing internal placement efforts, the department or agency may request a Citywide placement search. The Department/Agency Head or applicable Appointing Authority shall submit a written request for Citywide job placement assistance to the Department of Human Resources (DHR) Director that includes a description of the internal placement efforts the department or agency has attempted.

B. Employees Seeking Placement Assistance

1. To facilitate the assessment of viable alternative positions for placement consideration, employees may be required to provide information about relevant skills, knowledge, training, education, abilities, and prior employment history.

2. Employees may also be required to provide supporting medical documentation needed to confirm their inability to perform the essential functions of their current job and/or to evaluate their placement in other suitable positions. If medical information is not submitted or is insufficient, additional information or further medical evaluation may be requested. Medical information requested will be restricted to the limitations caused by the injury, illness, or medical condition on which the request for placement assistance is based and/or the ability to perform the essential functions of the position to which placement consideration is being made.

3. Employees are expected to cooperate with placement efforts. Placement activities may be discontinued if the employee withholds medical or other information required to assist in the placement evaluation process, or if the employee refuses placement to a suitable position.

4. An employee may waive his/her placement rights at any time and elect to resign, retire, or seek other employment opportunities, as applicable.

C. Department of Human Resources (DHR)

1. DHR will review requests for Citywide placement assistance to ensure that departments and agencies have made sufficient internal placement efforts.

Documentation of the employee's relevant skills, knowledge, training, education, abilities, and prior employment history will be reviewed and additional information may be requested if necessary.

2. DHR will review vacant and funded positions and requisitions for job vacancies for a period of 30 calendar days following the receipt of a request for a Citywide job search. Positions compensated at the employee's current or lower level of pay for which the employee appears to meet minimum qualification requirements will be considered as potential placement options. Employees will not be placed in positions that are compensated at levels of pay that are higher than their current positions.

3. The employee and the department or agency to which the employee is assigned will be notified if the Citywide job search is unsuccessful.

4. The employee will be advised of suitable positions in which placement may be considered. If more than one potential position is identified, the employee will be asked to identify a preference.

5. Once a placement position is identified and DHR has determined that minimum qualification requirements and other relevant considerations have been met, placement action will proceed. As required for particular positions, the employee may need to undergo a medical evaluation before placement is finalized. The placement action does not limit or restrict the employee's right to seek additional reasonable accommodation in order to be able to perform the essential functions of the proposed position.

6. The department or agency to which the most appropriate alternative position is assigned shall accept the employee for placement. If the department believes that the placement is not appropriate, denial of the placement must be approved by the DHR Director.

7. The DHR Director may extend the Citywide job search period for an additional 30 days if unusual delay or interruption, outside of the employee's control, prevents reasonable placement efforts, or for any other good reason.

8. Employees placed in new positions under this policy will serve the probationary period applicable to such positions and shall be subject to applicable provisions related to the initial probationary period.