FITNESS TO WORK

When a College employee is behaving in a way that could endanger the employee or other people, or when the normal functioning of a classroom or department could be disrupted, the employee will not be allowed to continue working or remain in the workplace until there is assurance that the employee is fit for duty. It is possible that there could be unexplained or inappropriate behavior resulting from illness, disability, or other causes. The kind of behavior that might cause this level of concern could include any of the following, although this is not a comprehensive list:

- staggering;
- appearing to be hearing and seeing things that are not there;
- slurring words;
- acting violently;
- threatening violence;
- speaking inappropriately, for example using threatening or harassing speech;
- throwing things;
- speaking in a way that indicates unawareness of time and place;
- appearing to be confused; or
- being unable to perform job duties as outlined in job description, which may be due to physical or mental impairment.

If the situation appears to be a medical or safety emergency, call 911 first; then campus security. If there does not appear to be a medical or safety emergency, the course of action depends on the supervisor's observation of the employee's condition, as follows.

Suspicion of Physical or Mental Impairment

In cases where the supervisor suspects the employee may be unfit for work due to a physical or mental impairment, the supervisor will contact the Human Resources Office. If warranted, the employee may be asked to leave the workplace and return only when a "Fitness to Work" certification is completed by a certified medical provider. If the employee does not appear to be competent to get himself or herself home safely, the College will call an emergency contact to come and pick up the employee or will arrange for transportation to the employee's home or hospital, as appropriate.

In some cases an evaluation by the employee's own medical provider will be sufficient. In cases where the employee is mandated to see a medical provider selected by the College, the College will bear the cost of the evaluation.

A regular employee who is removed from the workplace by management due to questions about the employee's fitness to work will be placed on paid administrative leave until the professional evaluation is complete. Other employees are not eligible for administrative leave. Notification will be provided to the employee describing the terms and conditions of the leave and required evaluation.

If the employee is evaluated and deemed fully fit to work, the employee will be required to report back to work as soon as reasonably possible. If the employee is able to perform some work but not the full range of essential functions of their position, the College will attempt to provide a temporary light duty assignment for the employee if available. If the employee is deemed unfit for any work, or if the employee is only fit for light duty but a light duty assignment is unavailable, the employee must begin using the employee's own accrued leave, or leave without pay if accrued leave is not available. Long-term disability or Family Medical Leave may also be applicable.

Employees who are out on extended leave due to a certified inability to perform their duties will be required to obtain updated medical documentation periodically to recertify their inability to work. The Human Resources department will notify the employee when this is required.

Suspicion of Alcohol or Drug Impairment

When reasonable suspicion exists, for example due to sight or smell, that the employee may be under the influence of alcohol or drugs at work, the employee should immediately be tested for drug or alcohol impairment. The supervisor should follow the steps outlined in Policy 03.09.004, "Employee Drug and Alcohol Testing" in order to promptly and safely have the employee transported to a medical center for testing at the College's expense.