


FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT STANDARD OPERATING PROCEDURE

	SUBJECT: FITNESS FOR DUTY		S.O.P 02.04.03
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	CATEGORY: Personnel	SUBCATEGORY: Medical and Fitness Standards	
	APPROVED BY: Ronald L. Mastin <i>Ronald L. Mastin</i> FIRE CHIEF, FIRE AND RESCUE DEPARTMENT		EFFECTIVE DATE: December 7, 1987 REVISION DATE: September 1, 2008
FORMS REQUIRED: Review Firefighter's Bill of Rights FRD-025, Fitness for Duty Evaluation FRD-158, Work Status Notification			
NOTE: Current forms are located on the department's Intranet			

PURPOSE:

To provide definitive guidance for supervisors to follow when an employee shows signs of being unfit for duty. **The term employee as used in this document applies both to employees of the Fire and Rescue Department and to certified operational members of volunteer departments.**

I. PREFACE

Contributing factors that impair an employee's ability to perform his or her assigned duties may stem from the following causes.

1. Alcohol and/or drugs (illegal, prescribed, and/or over-the-counter medications)
2. Injury or illness
3. Psychological impairment (emotional or stress related)
4. Inability to physically perform job

II. POLICIES

A. It is the Fire and Rescue Department's policy that employees shall report to work in such a condition as to perform their assigned duties in an acceptable manner.

1. **Substance Abuse Impairment Policy:** The Fire and Rescue Department's Rules and Regulations and Fairfax County's Standards of Conduct, Chapter 16, state that possessing, using, or being under the influence of alcohol or illegal drugs while an employee is at work or on county premises is strictly prohibited.
2. **Medication Policy:** Personnel are to notify their immediate supervisor if they are taking any mood altering medication whether prescribed or over-the-counter. The supervisor shall contact a Public Safety Occupational Health Center (PSOHC) physician for clarification as to the employee's ability to work while taking the reported medication. Medications that have mood altering effects include, but are not limited to, narcotics, pain medication, anti-histamines, opiates, sleep aides, and medication prescribed for anxiety, depression, and stress.

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Common examples of these types of medications include, but are not limited to, Benadryl, Valium, Librium, Xanax, Darvocet, Vicodin, Tylenol #3, Tylenol #4, Ambien, Lunesta, Lexapro, and Paxil. Questions about whether a drug has mood altering effects should be directed to a PSOHC physician.

3. **Physical Injury or Illness Policy:** A fitness for duty evaluation shall be considered when an illness or injury affects an employee's performance to such an extent as to hinder the employee's ability to render full, efficient, and safe performance of his or her duties. If the consensus of the employee's supervisors, including the employee's deputy chief and the deputy chief of the Health and Safety Division (HSD), determines that a fitness for duty evaluation is appropriate, the employee shall submit to the fitness for duty evaluation, which may include a Work Performance Evaluation (WPE). Employees who have been on extended medical leave for more than two weeks shall be required to be released by the PSPSOHC with a completed Work Status Notification Form (FRD-158) to their supervisor.
4. **Psychological Impairment Policy:** A fitness for duty evaluation shall be considered when a mental, emotional, or stress-related condition affects an employee's performance to such an extent as to hinder the employee's ability to render full, efficient, and safe performance of his or her duties. If the consensus of the employee's supervisors, including the employee's deputy chief and the deputy chief of the HSD, determines a fitness for duty evaluation is appropriate, the employee shall submit to the fitness for duty evaluation. Employees who have been on extended medical leave may be required to submit to a fitness for duty evaluation before they are returned to duty.
5. **Physical Performance Deficiency Policy:** All department employees shall meet the acceptable physical standards required to accomplish their work assignment. A fitness for duty evaluation shall be considered when an employee's physical condition hinders his or her ability to render full, efficient, and safe performance of his or her duties. If the consensus of the employee's supervisors, including the employee's deputy chief and the deputy chief of HSD, determines a fitness for duty evaluation is appropriate, the employee shall submit to the fitness for duty evaluation, which may include a WPE.

III. PROCEDURES FOR SUBSTANCE ABUSE (ILLEGAL SUBSTANCES, ALCOHOL, AND PRESCRIBED AND/OR OVER-THE-COUNTER MEDICATIONS)

- A. In addition to alcohol and/or illegal drugs, certain prescription and/or over-the-counter medications may impair an employee's work abilities and may not be appropriate for an employee in the work setting. If an employee's explanation that his or her observed behavior is due to the use of over-the-counter or prescribed medication, it shall not deter from proceeding with the drug screen.
- B. The following steps shall be accomplished within two hours when it is suspected that an employee may be under the influence of alcohol or drugs (illegal, prescribed, or over-the-counter drugs).

NOTE: If the cause of an employee's impairment is thought to be over-the-counter and/or prescribed medication, the chief officer shall consult via telephone with the Public Safety Occupational Health Center (PSOHC) physician to determine if a fitness for duty evaluation is needed for the employee.

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If the PSOHC physician determines that a fitness for duty evaluation is needed, the employee shall be placed on administrative leave until the employee can be examined by the PSOHC physician. The on-duty PSOHC physician may be contacted through the Department of Public Safety Communications (DPSC) for a consultation.

1. Immediately relieve the employee from any assigned duties and responsibilities.
2. Keep the employee at the work location. Do not allow the employee to consume any food or drink.
3. Notify the chief officer (battalion chief, deputy chief or volunteer chief) of the situation and of the actions taken. If the consensus of the employee's supervisors, including the employee's deputy chief and the Deputy Chief of the HSD, determine that a fitness for duty evaluation is appropriate, proceed with the fitness for duty evaluation.
4. Begin steps to have the employee immediately tested for drugs and/or alcohol. Drug testing procedures, forms, and the locations of the testing facilities are available from the chief officer (battalion chief or deputy chief). The Professional Standards Investigator also may be contacted at his or her office or by pager for testing protocols and the locations of the testing facilities.
 - a. The employee shall be given the forms that explain the testing requirements and authorization. The forms require the signature of the employee.
 - b. The employee shall be transported to the selected location for the testing as soon as possible.
5. The following actions shall be taken when any employee is ordered to submit to testing for drugs and/or for alcohol.
 - a. The employee shall be placed on administrative leave following testing.
 - b. The chief officer shall make arrangements for the employee to return home.
 - c. The Fire Chief or his or her designee shall be notified of the testing results.
 - d. The employee shall remain on administrative leave until the results of the test are returned.

NOTE: An employee with positive blood alcohol content shall be considered impaired. An employee who tests positive for drugs shall be considered impaired.

6. If the testing indicates negative for drugs and/or alcohol, the Fire Chief or his or her designee shall consider if further action is necessary based on the circumstances and/or the employee's behavior and may make arrangements to return the employee to his or her duty station.

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7. Prior to the employee returning to duty, the PSOHC physician shall prepare a work status notification and send it to the Fire Chief for his or her signature.

IV. PROCEDURES FOR PHYSICAL INJURY OR ILLNESS, SUSPECTED PSYCHOLOGICAL IMPAIRMENT, AND PHYSICAL PERFORMANCE FITNESS FOR DUTY EVALUATIONS

- A. The following procedures shall be used when an employee appears to be unfit for duty based on illness, including extended absences for medical reasons; physical injury; suspected psychological impairment; or physical performance deficiencies.
 1. Notify the chief officer (battalion chief, deputy chief or volunteer chief) of the situation and of the actions taken. If the consensus of the employee's supervisors, including the deputy chief, determine that a fitness for duty evaluation is appropriate, proceed with the fitness for duty evaluation.
 2. Relieve the employee from any assigned duties and responsibilities as appropriate.
 3. Fill out the Fitness for Duty Form (FRD-025) stating the reason(s) for relieving the employee of his or her assigned duties.
 4. The Deputy Chief of the HSD shall be notified immediately so that a fitness for duty evaluation or consultation can be arranged for the employee with the PSOHC physician. The deputy chief can be contacted at his or her office or by pager. If the deputy chief is not available, the on-duty PSOHC physician may be contacted through DPSC for a consultation. The employee shall be placed on administrative leave until a PSOHC physician can examine the employee.

NOTE: The Mobile Crisis Unit from the Woodburn Mental Health Center and/or the Crisis Response Team (CRT) may be contacted through DPSC for assistance.

5. The physician will notify the deputy chief of the findings of the evaluation and the employee's work status. The PSOHC will refer the employee to the proper treatment plan. The PSOHC physician will determine when the employee will be allowed to return to full duty.
6. Prior to the employee returning to duty, the PSOHC physician shall prepare a Work Status notification and send it to the Fire Chief for his or her signature.

NOTE: Additionally, an EAP referral should be considered in a case requiring a fitness for duty evaluation.

V. CONFIDENTIALITY STATEMENT

- A. Confidentiality shall be followed in accordance with the Fire and Rescue Department's protocols. Medical information shall be protected from inappropriate disclosure in a manner that ensures full compliance with all relevant federal and state laws. Confidentiality applies to an employee's medical file and to any other medical information.