LOUISIANA HOUSING CORPORATION		
Policy Number 56	**Policy Name** Fitness For Duty	**Original Effective Date** April 1, 2024
Issuing Department Human Resources	**Revision Dates**	
Contact Human Resources	**Signature**	
Appointing Authority Marjorianna Willman, Executive Director	**Signature**	

I. Objective

The Fitness for Duty Policy outlines the expectations and procedures regarding the physical and mental fitness of employees to perform their job duties safely and effectively. Employees who are not fit for duty may present a safety hazard to themselves, to other employees, or to the public. This policy aims to ensure a safe and healthy work environment for all employees while maintaining productivity and quality of work.

II. Applicability

This policy shall apply to all employees of Louisiana Housing Corporation (LHC), hereinafter referred to as "LHC".

III. Policy

A. Physical and Mental Fitness Evaluation

Employees are expected to maintain a level of physical and mental fitness that allows them to perform their job duties safely and efficiently.The organization reserves the right to conduct fitness for duty evaluations when there are concerns about an employee's ability to perform their job duties due to physical or mental health issues.Employees may be required to undergo medical examinations or assessments by qualified healthcare professionals as part of the fitness for duty evaluation process.

B. Reporting Requirements

Employees are required to promptly report any physical or mental health conditions that may affect their ability to perform their job duties safely to their supervisor or Human Resources department.

If an employee becomes aware of a co-worker's physical or mental health condition that may impact their fitness for duty, they should report it to their supervisor or Human Resources department confidentially.

C. Confidentiality

All information obtained through Fitness for Duty Evaluations, including medical records and assessments, will be kept confidential to the extent permitted by law.

Access to employee medical information will be restricted to individuals involved in the evaluation process on a need-to-know basis.

D. Reasonable Accommodations

The organization will make reasonable accommodations for employees with documented physical or mental health conditions to enable them to perform their job duties effectively, unless doing so would impose an undue hardship on the organization.

Employees requesting accommodations must submit appropriate documentation from a qualified healthcare professional to support their request. Please refer to LHC Policy 2, American with Disabilities Act, on procedures required for requesting an accommodation.

E. Return to Work Process

Employees who have been on leave due to a physical or mental health condition must obtain clearance from their healthcare provider before returning to work.

IV. Definitions

A. Fitness for Duty – An employee's ability to perform the essential functions of their job in a safe manner, without posing a direct threat to the health or safety of themselves or others.

B. Essential Functions – The core duties and responsibilities of a job that an employee must be able to perform, with or without reasonable accommodation.

C. Impairment - Any physical or mental condition that could adversely affect an employee's judgment, coordination, performance, or behavior, and could create a safety risk. Impairment may be caused by factors including, but not limited to:

- Use of alcohol or drugs (legal or illegal)
- Fatigue
- Illness or injury
- Prescription or over-the-counter medication
- Stress or other emotional factors

D. Licensed Medical Service Provider (LMSP) - A practitioner, as defined in Louisiana State Licensing Law (relative to the LMSP's field of service), who is practicing within the scope of his or her license. This includes licensed physicians or Medical Doctors, Doctors of Osteopathy or DO, or licensed Chiropractors, Counselors, or Therapists, as recognized and licensed by the appropriate state boards or authorities.

V. Procedures

A. Identification of Concerns

The need for a Fitness for Duty Evaluation may arise from various sources, including but not limited to:

a. Observable behaviors indicating impairment or inability to perform job duties safely and effectively.

b. Reports from colleagues or supervisors regarding concerning behavior or performance.

c. Reported medical or mental health issues that may impact job performance.

Any concerns should be documented, including specific incidents or observations that led to the consideration of a Fitness for Duty Evaluation.

B. Consultation

The immediate supervisor or manager should consult with the HR Director and, if necessary, legal counsel to discuss concerns and determine the appropriate course of action.

The HR Director and/or legal counsel will provide guidance on the legal and ethical considerations involved in requesting a Fitness for Duty Evaluation.

C. Notification

Human Resources will notify the employee in question both verbally and in writing of the requirement to undergo a Fitness for Duty Evaluation.

The notification, Request for Fitness for Duty form, will clearly outline the reasons for the evaluation and any relevant policies or procedures. The employee will also be provide a current copy of his/her job description.

The employee shall be required utilize their sick and annual leave until the evaluation is complete and a decision is made for them to return to work.

D. Selection of Evaluator

The employee may take the Fitness for Duty Evaluation form to their healthcare provider for completion.

E. Evaluation Process

The Fitness for Duty Evaluation will involve a comprehensive assessment of the employee's physical and/or mental fitness to perform their job duties safely and effectively.

The evaluation may include medical examinations, psychological assessments, interviews, and review of relevant medical records.

F. Documentation

All documentation related to the Fitness for Duty Evaluation, including correspondence, evaluation results, and any recommendations, will be maintained in the employee's confidential file.

Documentation will be kept in compliance with applicable laws and regulations governing employee medical records.

G. Follow-Up Actions

Based on the results of the Fitness for Duty Evaluation, appropriate follow-up actions will be taken.

If the employee is deemed fit for duty, they will be informed accordingly, and no further action may be necessary.

If the evaluation identifies concerns or limitations, HR and management will work with the employee to determine appropriate accommodations, rehabilitation, or other interventions as needed.

VI. Violations of Policy

Employees who fail to meet the physical or mental fitness requirements for their job duties or who fail to comply with the reporting requirements outlined in this policy may be subject to disciplinary action, up to and including termination of employment.

VII. Questions

Questions regarding this policy should be directed to Human Resources.