Disability-Related Inquiries and Medical Examinations (Fitness-for-Duty Examinations) Under the Americans with Disabilities Act (ADA) for Purdue University Employees

Purdue University is committed to providing a safe workplace environment for its employees, as well as the University community. To that end, employees have the responsibility to physically and mentally perform their jobs in a safe, effective, and appropriate manner. The University reserves the right to have a current employee undergo a fitness-for-duty examination under certain circumstances. This guidance provides useful information to supervisors and employees concerning fitness-for-duty examinations, while adhering to the Americans with Disabilities Act (ADA), as amended.

I. Scope

This guidance covers full-time, part-time, regular and temporary faculty and staff at all campuses, University research farms and agricultural centers, statewide technology sites, extension offices, and related facilities and operations.

II. Documenting Disability When Individual Requests Accommodation

If the employee cannot perform the essential functions of his or her position due to a medical condition, and would like to request an accommodation, he or she should contact Human Resources to begin the ADA interactive process. (On the PNW-Calumet and PNW-Westville campuses, the interactive process is conducted by the Office of Equity.) If the employee is found to be an individual with a disability who is qualified and eligible for reasonable accommodation, the University will attempt to provide reasonable accommodation so the employee may perform his or her essential job functions.

III. Disability Related Inquiries and Medical Examinations

The ADA’s requirements regarding disability-related inquiries and medical examinations apply to all employees, whether or not they have disabilities. Once an employee is on the job, his or her actual job performance is the best measure of ability to do the job. When it becomes necessary to question the ability of a faculty or staff member's ability to perform the essential functions of his or her position, or to question if the employee poses a direct threat due to a medical condition, it may be necessary to require a medical examination.

Adhering to an ADA Enforcement Guidance, Purdue University “only may seek information about an employee’s medical condition when it is job related and consistent with business necessity.” This means the University must have a reasonable belief based on objective evidence that:

- A faculty or staff member will be unable to perform the essential functions of his or her position due to a medical condition; or,
- A faculty or staff member will pose a direct threat because of his or her medical condition.
IV. Fitness for Duty

A. Definition

In certain circumstances it may become necessary for a faculty or staff member to undergo a medical examination to determine his or her fitness for duty. An employee is “fit for duty” when he or she is physically and mentally capable of safely performing the essential functions of his or her job.

B. Guidelines for Handling Fitness for Duty Issues

1. If a supervisor observes that a faculty or staff member is unable to safely perform the essential functions of his or her position, and has a reasonable belief, based on objective evidence, that it may be due to a medical condition, the supervisor should consult with Human Resources for guidance on how to approach the faculty or staff member. Contacting Employee Relations (on the West Lafayette campus) is often the best first step in this process. (On the regional campuses, contacting Human Resources for the appropriate staff members who handle employee relations matters is often the best first step in the process.)

2. If a supervisor learns from others about a faculty or staff member’s medical condition, he or she must first determine if the information is reliable. Next, he or she must determine whether the information gives rise to a reasonable belief that the faculty or staff member may be unable to perform his or her essential job functions due to a medical condition. The supervisor should consult with Employee Relations (on the West Lafayette campus) for assistance in making these determinations and for guidance on how to approach the faculty or staff member. (On the regional campuses, the supervisor should consult with Human Resources for the appropriate staff members who handle employee relations matters.)

3. The supervisor should not proceed with any discussions with the faculty or staff member prior to consulting with Human Resources, which can offer guidance on how to best approach the individual and assist with that approach.

4. If it has been determined the faculty or staff member should undergo a fitness-for-duty examination, he or she will be informed by Human Resources and/or the supervisor. Human Resources will research local and regional health care providers to determine an appropriate provider to conduct the fitness-for-duty examination. Human Resources will provide any requested documentation to the health care provider, including but not limited to, a copy of the employee’s position description or health care provider’s questionnaires. Human Resources will make the arrangements for, and pay the cost of, the fitness-for-duty examination.

5. Human Resources will receive a report from the health care provider and will discuss the findings with the supervisor, such as any restrictions in the workplace. If so requested by the supervisor, a redacted copy of the report will
be provided. Human Resources will not divulge any medical information to the supervisor. All employee medical documentation is confidential and will be kept in files separate from employees’ personnel files.

6. Human Resources will discuss the findings of the report with the employee and if so requested, will provide a copy of the report to the employee.

7. Determination of work status for the faculty or staff member will follow.