

## Fitness for Duty – What it Means and What to Expect

Under the Americans with Disabilities Act (ADA), as amended, “fitness for duty” refers to the physical and/or mental ability of an employee to safely perform the essential functions of his or her job.

- 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 this process.)
- Fitness-for-duty examinations are limited to determining information that is needed to make an assessment of the employee’s ability to work.
- Human Resources and/or your supervisor will inform you if you must undergo a fitness-for-duty examination. 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 your 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.
- Once sufficient medical documentation is received and reviewed, the employee can expect one of the following three outcomes from the University:
  - a. *Fit for duty without limitations*—If it is determined that you are fit for duty and there are no limitations on your ability to safely perform the essential functions of your job, your supervisor and Human Resources will communicate this to you as soon as possible after that determination has been made.
  - b. *Fit for duty with limitations*—If it is determined that you are fit for duty, but there are certain limitations on your ability to safely perform the essential functions of your job, your supervisor and Human Resources will communicate this to you as soon as possible after that determination has been made. You will meet with Human Resources to engage in the interactive process to determine whether reasonable accommodations can be made so that you can safely perform your job. (On the PNW-Calumet and PNW-Westville campuses, the interactive process is conducted by the Office of Equity.) Any such accommodations will be carefully defined for you and communicated to your supervisor.
  - c. *Not fit for duty*—If it is determined that you are currently unfit for duty, your supervisor and Human Resources will communicate this to you as soon as possible after that determination has been made. You will meet with Human Resources to determine whether there are steps that you can take (for example, further medical or therapeutic treatments) that could assist you in becoming fit for duty. During this

meeting, you will engage in the interactive process to discuss whether reasonable accommodations are available to permit you to take the necessary steps to become fit for duty. (On the PNW-Calumet and PNW-Westville campuses, the Office of Equity will engage in the interactive process with the employee.) Any such accommodations will be carefully defined for you and your supervisor.

- Medical records, reports, and documentation of fitness-for-duty examinations will be kept confidential and maintained in a separate file from the employee's personnel records.