FITNESS FOR DUTY POLICY

PURPOSE

The purpose of this policy is to outline the responsibilities for action when an employee, engaged in work activities, is suspected of being impaired and may be Unfit for Duty.

The responsibilities of management, coworkers, the Employee Assistance Program (EAP), and the employee suspected of being impaired are listed. These include actions to ensure that the employee is taken off the job safely, is evaluated to determine if fit for duty, receives appropriate medical or related help when needed and does not resume working until fit for duty.

POLICY STATEMENT

It is the policy of The University of Texas MD Anderson Cancer Center (MD Anderson) that all employees report to work in a condition to safely perform their duties and not be impaired while engaged in work activities. All employees are responsible for notifying management if a coworker is suspected of behaving in an unsafe or potentially impaired manner.

The supervisor will immediately investigate reports that an employee may be impaired while engaged in work activities and call for assistance if there is an emergency. When observations of possible Impairment have been confirmed, the supervisor will contact the EAP for guidance. The EAP will advise management regarding next steps to have the employee taken off the job and evaluated to determine if fit for duty.

The employee suspected of being impaired must immediately comply with all management and EAP directives to be evaluated. While off work, the employee cannot return to the worksite or engage in work activities without prior approval by the EAP. In the event that the employee is determined to be Unfit for Duty, medical or related treatment may be required, both prior to and, in some cases, after returning to work.

Failure to comply with any of the directives of this policy is subject to disciplinary action, up to and including termination. Compliance with Fitness for Duty procedures does not prevent management from taking administrative or disciplinary action for poor performance.

SCOPE

This policy applies to all employees to include faculty, visiting scientists, and Trainee & Alumni Affairs educational appointees. Physicians and physician trainees are also referred to the Practitioner Health and Impairment Policy (UTMDACC Institutional Policy # CLN0619).

TARGET AUDIENCE

The target audience for this policy includes, but is not limited to, faculty, trainees/students, and other members of MD Anderson’s workforce.
DEFINITIONS

Employee Assistance Program (EAP): Staff from the Employee Assistance Program, Department of Employee Health & Well-Being.

Impairment: The inability to perform essential job functions and interact safely and effectively with others. It may be caused by an emotional, psychological, medical, or other health condition such as chemical dependency. (Note: Employees taking prescription medications that impair their ability to work safely are subject to the conditions of this policy.)

Unfit for Duty: Actively impaired and, therefore, unable to return to work as a result.

PROCEDURE

1.0 General Information

1.1 An employee who is actively experiencing job problems but who does not appear to be impaired may be referred to the EAP by management. This is a formal management referral and is not mandatory.

See Employee Assistance Program Policy UTMDACC Institutional Policy #ADM0275.

2.0 The Supervisor Investigates, Observes, and Documents

2.1 Any employee or trainee who observes another coworker appearing to be impaired should immediately notify a supervisor on duty.

2.2 The direct supervisor or supervisor on duty:

A. Investigates and, when possible, personally observes and interviews the employee. If the direct supervisor is not available to directly observe and interview the affected employee, another manager or supervisor will perform this observation and interview.

B. Documents all observations, including how the employee responds when interviewed, and completes the Fitness for Duty Supervisor Initial Observation Report.

C. Calls UT Police if:

   • The employee is behaving in a way that (1) is dangerous to those around him/her, (2) is making threats to harm himself/herself or others, or (3) is otherwise medically or psychiatrically unstable; and/or
   • There is evidence that a crime may have been committed.

D. Calls the EAP for guidance and provides the completed Fitness for Duty Supervisor Initial Observation Report.

E. The supervisor will escort the affected employee to EAP offices, or make arrangements for a meeting with the EAP during business hours.

F. Outside of business hours, page the EAP counselor on call for assistance at 713-404-3092.
3.0 **EAP Actions**

The EAP:

3.1 In consultation with the supervisor and with Human Resources (when available), determines if the employee should be taken off the job and removed from job responsibilities, or if another course of action may be indicated.

3.2 Provides guidance on how to safely escort the employee for an immediate assessment, for urgent treatment, or for transportation home.

*Note*: If transportation home is recommended, the supervisor makes the arrangements after consulting with the EAP. The affected employee is not allowed to drive himself/herself home.

3.3 Assesses or arranges for a medical evaluation to determine if fit for duty, facilitates access to treatment, and coordinates a return to work process and follow-up care, as needed.

4.0 **Return to Duty**

The employee:

4.1 Will not return to work until all aspects of the fitness for duty evaluation are completed and approval to return to work is granted by the EAP.

4.2 May be required to continue with medical care, drug and alcohol monitoring, and EAP follow-up for a designated period after returning to work.
ATTACHMENTS/LINKS

Fitness for Duty Supervisor Initial Observation Report (Attachment # ATT0439).

RELATED POLICIES

Employee Assistance Program Policy (UTMDACC Institutional Policy # ADM0275).
Practitioner Health and Impairment Policy (UTMDACC Institutional Policy # CLN0619).

JOINT COMMISSION STANDARDS / NATIONAL PATIENT SAFETY GOALS

HR.01.02.05:

LD.03.01.01:
“Leaders create and maintain a culture of safety and quality throughout the hospital.” Comprehensive Accreditation Manual for Hospitals (CAMH), 2017.

HR.01.06.01:
“Staff are competent to perform their responsibilities.” Comprehensive Accreditation Manual for Hospitals (CAMH), 2017.

OTHER RELATED ACCREDITATION / REGULATORY STANDARDS

None.

REFERENCES

None.