

	<b>Houston Independent School District Police Department Directives</b>	<b>DIRECTIVE: 420-007</b>
		<b>EFFECTIVE DATE: July 1, 2020</b>
	<b>SUBJECT: Fitness for Duty</b>	<b>REVISED DATE: January 14, 2022</b>

## **PURPOSE**

The purpose of this directive is to describe HISD Police Department policy regarding fitness for duty. All employees must be free from any physical, emotional, or mental condition that might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions. This directive applies to all Houston Independent School District Police Department personnel.

## **EMPLOYEE RESPONSIBILITIES**

It shall be the responsibility of each member of this department to maintain an acceptable level of physical fitness to perform the essential duties of this position. Each member of this department shall perform their respective duties without physical, emotional, and mental constraints. All employees must be alert, attentive, and capable of performing their assigned responsibilities during working hours. Any employee who feels unable to perform their duties shall promptly notify a supervisor. If an employee believes that another employee cannot perform their duties, a supervisor shall promptly report such observations and beliefs.

## **SUPERVISOR RESPONSIBILITIES**

A supervisor observing an employee or receiving a report of an employee who is perceived to be unable to safely perform their duties due to a physical or mental condition shall take prompt and appropriate action to resolve the situation. Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem. In all cases, a preliminary evaluation should be made to determine the level of the inability of the employee to perform their duties.

If the employee appears to need immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care. In conjunction with a Captain, a determination should be made whether the employee should be temporarily relieved from their duties. The Chief of Police shall promptly be notified if an employee is relieved from duty.

## **NON-WORK-RELATED CONDITIONS**

An employee suffering from a non-work-related condition which warrants a temporary relief from duty may be required to use sick or personal leave to obtain medical or other reasonable rest periods.

## **WORK-RELATED CONDITIONS**

Any employee suffering from a work-related condition that warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims. Upon the recommendation of the supervisor and concurrence of a captain, any employee whose actions or use of force in an official capacity results

in the death or serious injury to another may be temporarily removed from regularly assigned duties and placed on paid administrative leave for the well-being of the employee and until the following may be completed:

- a) If applicable, a preliminary determination that the employee's conduct appears to comply with the policy.
- b) The employee has had the opportunity to receive necessary counseling and psychological clearance to return to full duty.

## **PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS**

Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and psychological examination in cooperation with the Human Resources/Employee Relations Department to determine the level of the employee's fitness for duty. The order shall indicate the date, time, and place for the examination.

The examining physician or therapist will provide the department with a report indicating the employee's fitness for duty and any functional limitations limiting the employee's ability to perform job duties. To facilitate the examination of an employee, the department will provide all appropriate documents and available information to assist in the evaluation and treatment. All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's confidential personnel file.

Any employee ordered to receive a fitness for duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interviews, tests, or any other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordinate and shall be subject to discipline up to and including termination. Once an employee has been deemed fit for duty by the examining physician or therapist, they will be notified to resume their duties.

## **APPEALS**

Any employee who is separated from paid employment or receives a reduction in salary resulting from fitness for duty examination shall be entitled to an administrative appeal.

Approved By

  
Pedro Lopez Jr., Chief of Police