

CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE	ADMIN 0620-09-02 LGL 2005-10
TITLE: PRE-EMPLOYMENT PHYSICALS EFFECTIVE DATE: January 1, 1988 REVISION EFFECTIVE DATE: April 23, 2009	

1.0 GENERAL

1.1 This policy outlines the City's requirements for pre-employment physicals for all new exempt and classified employees.

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2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy shall apply to all City departments and divisions with the exception of uniformed employees.

3.0 REFERENCES

- 42 USC 12111(3)
- 29 CFR 1630.2(r)

4.0 DEFINITIONS

4.1 "Direct Threat" means a significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation. The determination that an individual poses a "direct threat" shall be based on an individualized assessment of the individual's present ability to safely perform the essential functions of the job. This assessment shall be based on a reasonable medical

judgment that relies on the most current medical knowledge and/or on the best available objective evidence. In determining whether an individual would pose a direct threat, the factors to be considered include:

- a. The duration of the risk;
- b. The nature and severity of the potential harm;
- c. The likelihood that the potential harm will occur; and
- d. The imminence of the potential harm.

5.0 POLICY

- 5.1 It is the policy of the City of Spokane to administer pre-employment physicals to all job applicants that have been selected for any classification or temporary seasonal or project employee position that are contained in the list of classifications requiring a physical exam. The list of classifications will be maintained by the Human Resources Department. Depending on the job classification, this pre-employment physical may include a drug-screening test.
- 5.2 Post offer / conditional job offer physical examinations (for purposes of this policy simply referred to as "pre-employment physicals") may only be required in order to determine the applicant's physical ability to perform job-related functions pursuant to state and federal law. A medical examination can be required after a conditional offer of employment has been extended to an applicant as long as all newly hired employees in that classification are similarly treated with the requirement of undergoing the same pre-employment physical exam. An applicant may be rejected if the examination establishes that there would be a "direct threat" to the health or safety of others or have a high probability of substantial harm to the applicant if he or she were to perform particular functions of the job
- 5.3 Pre-employment physicals will vary in scope depending upon the type of work required by the classification or position.
- 5.4 A job description which specifies the duties and responsibilities of the position will be provided to the examining physician by the City. The physician shall use the job description as a basis for examining that applicant.
- 5.5 The applicant will not begin work until a favorable determination has been made. Hiring departments will be notified by the Human Resources Department.

5.6 Applicants who are required to take a physical exam shall be required to sign a "Notification of Conditional Job Offer" before taking the exam.

5.7 Scheduling of Physical Exam

5.7.1 Physical examinations will be scheduled through the Human Resources Department with the exception of applicants for police and fire uniformed positions.

5.7.2 The appointing department will give at least five (5) working days notice to the Human Resources Department prior to the anticipated employment date to allow for scheduling.

5.8 Results of Examinations

5.8.1 The appointing officer will be notified of the results of the examination by the Human Resources Department

5.8.2 If the applicant fails his/her examination, the Human Resources Director or designee, after consulting with the physician, will explain the reason at the request of the applicant.

5.8.3 The City will maintain confidential medical-related information such as the results of employee pre-employment physical exams in a centralized separate and secured file with controlled access so as to be in compliance with applicable statutes and regulations. Employment decisions will not be based upon medical information, except as specifically allowed by law.

5.9 Payment for Pre-Employment Physicals

5.9.1 The City will pay for the exam under the following conditions:

a. Applicant passes the exam and accepts the position with the City if it is offered to him/her.

b. Applicant fails the exam and cannot qualify for employment with the City.

5.9.2 If the applicant is given the physical exam and then turns down employment with the City, the applicant will be required to pay the cost of the physical.

5.10 Standards For Physical Examination

5.10.1 The standards required for satisfactorily passing a physical examination will be jointly developed by the City's contracted physicians and City administration.

5.10.2 The standards may be changed as deemed necessary by City administration in order to comply with state and federal regulations.

6.0 PROCEDURE

Not Applicable

7.0 RESPONSIBILITIES

The Human Resources Department shall administer this policy and procedure.

8.0 APPENDICES

Notification of Conditional Job Offer


APPROVED BY:



Director – Human Resources

3/27/09

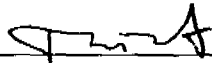
Date



City Attorney (ASST)

3-26-09

Date



City Administrator

4/8/09

Date

**NOTIFICATION OF CONDITIONAL JOB OFFER
PRE-EMPLOYMENT PHYSICAL EXAMINATION**

Employment with the City of Spokane is conditional on the successful completion of a pre-employment physical exam which may include a drug screening test.

The City will pay for the exam if:

- You pass the exam and accept the position with the City of Spokane.
- You fail the exam and cannot qualify for employment with the City.

You will be financially responsible for reimbursing the City for charges associated with the physical and drug test if:

- You successfully complete the physical exam and/or drug test and then turn down employment with the City.

Please make certain you want this job before taking the physical and/or drug test to avoid the personal expense you will otherwise incur if you pass and then decline employment with the City.

IMPORTANT: Only the Human Resources Director has the authority to make the final determination whether an individual has successfully passed their physical and/or drug test. Once a decision has been made, you will be notified by a department representative. (Please initial here _____ signifying your understanding of this provision of the City policy.)

UNDERSTANDING OF AGREEMENT:

I, _____, have applied for the position of _____ with the City of Spokane. I understand and agree that any doctor, hospital or testing laboratory may conduct medical tests and may release all information necessary to the City of Spokane in order for a determination to be made of my ability to perform the job duties that I am being considered for now and in the future.

I hereby certify that I have read and fully understand the terms of the above notification. I further understand that my signature below makes me responsible for costs incurred for failure to accept the position offered to me after successfully passing the physical exam and/or drug test.

Signature: _____ Witness: _____

Date: _____ Date/Time of Appointment: _____