

CITY OF ALPENA

STANDARD OPERATING POLICY

SUBJECT: Return to Work of Employees SOP No.: 14
Date Issued: 8-19-94
Effective Date: 8-19-94

Copies to: All City Employees

STATEMENT OF POLICY:

Under the Americans with Disabilities Act (ADA), applicants and employees must be able to perform the essential elements of the job with or without reasonable accommodation and without undue hardship for the City. In addition, the ADA gives the City the right to require certain medical examinations of current employees which are job related and are justified by business necessity. As an example, examinations can be obtained where the employee claims a disability to determine the presence of a direct risk and to determine the necessity of a reasonable accommodation. With new hires, post-offer ~~physicals~~ medical examinations will be ~~offered~~ required.

~~Each department head should put together a listing of what they consider the "essential elements" of the jobs under their direction.~~ Where appropriate, those ~~essential~~ Essential elements Duties will be used to determine an employee's ability to work. By ~~cover letter~~ request from the ~~City's Personnel Office~~ Manager's Office, the employee's doctor shall ~~upon the receipt of the employee's "essential elements" of the employee's job be required to~~ indicate in written format whether the employee can perform those ~~essential~~ Essential elements Duties of ~~his/her~~ the job with or without an accommodation. Where applicable, the employee shall not be allowed to return to work unless the written statement is received from a doctor. Sick leave shall not be allowed if the employee ~~forgets to provide the slip to the City prior to return to work.~~ does not provide a doctor slip authorizing their return to work.

~~The "bottom line" of this~~ This new policy is to comply with ADA and Family Medical Leave Act (FMLA) requirements; to make sure the employee can return to work; and, when feasible, to allow the employee's doctor to indicate whether said employee can return to work with or without accommodations. The City retains the right, where allowed by law, to obtain and utilize a second opinion. If the city requires a second opinion, the city will pay for the doctor's appointment and medical tests. However, additional medical tests must be preapproved by the Manager's Office.

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Greg E. Sundin ~~Peter Parker~~, City Manager

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