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## CITY OF KETTERING — ADMINISTRATIVE POLICIES

### PERSONNEL POLICIES & PROCEDURES

02/2022

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#### Policy No. 405: Medical Examinations

##### A. Pre-employment Medical Examinations

1. In compliance with the Americans with Disabilities Act (ADA), the City will extend a conditional offer of employment to a candidate for appointment to a City position prior to requiring a medical examination or making medical/disability-related inquiries of the candidate. A conditional offer of employment will only be withdrawn (for medical/disability-related reasons) when the examination/inquiry reveals that the candidate does not satisfy certain job-related criteria, as determined by the City. Such job-related criteria shall be consistent with business necessity, as determined by the City, and shall not unlawfully discriminate against candidates for appointment with disabling conditions. Reference Policy No. 610: Equal Employment Opportunity, Non-Discrimination, Prohibition Against Harassment and Compliance with the Employment Provisions of Title I of the Americans with Disabilities Act.
2. Regular full-time employees are required to have a medical examination. The Human Resource Department will schedule pre-employment examinations with the City designated physician and the cost of such will be paid by the City.
3. When a candidate for appointment has a specific condition understood by the candidate's own physician, the City may require that the candidate's physician provide a special examination and/or report. The cost of such will, in most cases, be paid by the candidate.
4. The Director of Human Resources may waive or defer the requirement for a pre-employment medical examination under those circumstances which the Director determines to be appropriate.
5. Certain positions may require that candidates for appointment submit to more extensive medical/physical examinations and/or psychological examinations.
6. The preceding provisions for pre-employment medical examinations shall also apply to reinstated employees or part-time, seasonal, contractual and/or temporary status employees who are candidates for appointment to regular full-time positions.

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#### **B. Attendance and Work Performance Related Examinations**

1. Department Directors have the authority to require that an employee produce a note or report from the employee's personal physician justifying the use of, or request for: sick leave, injury leave, birthing parent/non-birthing parent leave, leave without pay, special or light duty, resumption of regular duty, etc.
2. Department Directors may also require that an employee be examined by a physician, or similar professional designated by the City, the cost of which will be paid by the City. Examinations which are to be paid by the City must be approved by the Director of Human Resources or his/her designee prior to the exam.
3. In accordance with Policy No. 301: Sick Leave, an employee may be required to submit to an examination by a City designated physician, or similar professional, at any time the employee's work or attendance record, or other signs, indicate that the employee may have health problems.
4. Supervisors shall review all applicable Safety and Health policies (Policy Nos. 401-407), Policy No. 610: Equal Employment Opportunity, Non-Discrimination, Prohibition Against Harassment and Compliance with the Employment Provisions of Title I of the Americans with Disabilities Act, and applicable bargaining agreements, in addition to consulting with the Director of Human Resources or his/her designee, when contemplating the requirement for an employee to submit to a medical and/or psychological examination, or alcohol and/or drug test (reference Policy No. 402: Alcohol and Drug Use).

#### **C. Periodic Examinations of Executives**

1. Executive employees at the level of City Manager, Assistant City Manager and Department Director, are entitled to have an annual City Designated Comprehensive Medical/Physical Examination, or an equivalent comprehensive examination, the cost of which shall be paid for by the City.
2. Executive employees may request the Human Resource Department's assistance in scheduling their City Designated Comprehensive Medical/Physical Examination with a City designated agency or physician, or an executive employee may have their personal physician conduct such an examination, which will be paid by the City. In order to receive payment from the City, the

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executive employee must submit an itemized bill detailing the scope of the comprehensive medical/physical examination to the Human Resource Department for approval and forwarding to the Finance Department for payment.

3. The information derived from such an examination will be made available only to the executive employee, and to their personal physician with the employee's consent.

The City Manager hereby delegates the appropriate responsibility and authority to administer this Policy to the City's Assistant City Manager and Department Directors.

Approved:

2/10/2022

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Date

*Mark Schwieterman*

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Mark W. Schwieterman  
City Manager

Issued:

2.11.2022

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Date

*Jenny Smith*

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Jenny Smith  
Director of Human Resources