

Georgia Department of Public Safety

Policy Manual

SUBJECT PRE-EMPLOYMENT MEDICAL REQUIREMENTS	POLICY NUMBER 5.20
DISTRIBUTION ALL PERSONNEL	DATE 7/6/2017

5.20.1 Purpose

To establish policies and procedures for the administration of the State of Georgia Medical and Physical Examination Program (MAPEP) to ensure uniformity and consistency in the hiring process and compliance with applicable state and federal laws, rules and regulations.

5.20.2 Policy

All persons seeking employment with the Georgia Department of Public Safety (DPS) must meet the medical guidelines as established in the Medical and Physical Examination Program (MAPEP) and adopted by the State Personnel Board to:

- A. Ensure the individual will be physically capable of carrying out the duties of his/her job;
- B. Protect the individual from possible harmful effects associated with employment, which may arise by virtue of a particular preexisting physical malady; and
- C. Protect the state from potential liability under Workers' Compensation laws for conditions arising after employment, but caused in whole or part by preexisting physical conditions.

All persons seeking employment with the Department in a P.O.S.T Certified position must be found, after examination by a licensed physician or surgeon, to be free from any physical, emotional, or mental conditions which might adversely affect his/her exercising the powers or duties of a peace officer (POST Rule 464-3-.02).

5.20.3 Definitions:

- A. Job Categories – the classification of jobs within the state Medical and Physical Examination Program to be used as guidelines for administration of the program.

Category I: Primarily sedentary, light physical work with limited to no unusual working conditions.

Category II: Moderate to heavy physical activity and/or moderate to high interface with working conditions of potential concern for certain health conditions.

Category III: Positions involving food preparation or the handling of raw consumable animal products.

Category IV: Health-related positions with direct contact or exposure to air-borne pathogens (e.g., TB), blood-borne pathogens (e.g., HIV, viral hepatitis), human body parts or products.

Category V: Strenuous physical activity and/or extreme or potentially life-threatening working conditions requiring a high level of physical capability.

- B. Prospective employee – any person, other than the Commissioner, who has been offered employment by the Department. This includes candidates for employment, current employees who are transferring to a different job classification within the Department, employees who currently work for another state agency, and prior employees who have been approved for re-employment.
- C. State Physician – any licensed physician who has been contracted by the Department for the purpose of conducting limited or full physical examinations, assessing the results of the examination for prospective employees, or determining if the prospective employee meets the standards of physical fitness for the specific position.

5.20.4 General Provisions:

- A. All P.O.S.T Certified positions are designated as Category V. The Director of Human Resources is responsible for designating the appropriate category for all other positions after considering the job responsibilities, functional requirements, working conditions and environmental factors.
- B. All prospective employees must meet the medical and physical standards required to perform the essential functions of their position.
- C. Medical evaluations shall only be conducted on prospective employees who have received and accepted a conditional offer of employment.
- D. All candidates for Category V (Law Enforcement) positions are required to be examined by the State Physician(s) designated by the Department. Such evaluations will be at the expense of the Department.
- E. The Department shall provide reasonable accommodation to the extent required by the Americans with Disabilities Act (ADA).
- F. The Department will not request or require genetic information about a prospective employee or a prospective employee's family member(s) as part of the pre-employment medical and physical evaluation, as required by the Genetic Information Nondiscrimination Act (GINA).

5.20.5 Procedures:

- A. Category V (Law Enforcement) positions
 1. The Director of Human Resources is responsible for ensuring that any State Physician utilized by the Department has the appropriate information regarding the essential functions, associated physical and mental demands, and

specialized medical guidelines for each job the State Physician will be evaluating prospective employees for employment.

2. After receiving a conditional offer of employment, a prospective employee will be scheduled for the medical examination by a Human Resources Representative.
3. The prospective employee will receive the appropriate medical documents with detailed information about the essential functions, physical/mental demands, and specialized medical guidelines for the position prior to the scheduled examination. The prospective employee must accurately and thoroughly complete and sign the required sections of the applicable medical forms.
4. The prospective employee may be required to provide further medical information and/or complete further physical examinations or tests at his/her expense at the request of the State Physician.
5. The State Physician will send the completed medical packet to the designated Human Resource Representative with a final determination of whether the prospective employee meets the applicable MAPEP and P.O.S.T requirements for the position.
6. The Director of Human Resources will review the medical forms for completeness and ensure that a final determination has been made and documented by the State Physician as to whether the prospective employee meets the standards of medical and physical fitness for the position.

B. Category II (Active) positions

1. The General Information Form (MAPEP 10-51-03) will be provided to the prospective employee as part of the new hire packet.
2. For Category II positions, the Human Resources Representative will include a note in Section B, Item 3 of the General Information Form that detailed information about the essential functions and physical demands of the job have been provided as attachments to the form.
3. The prospective employee will review the job description and Georgia Activity Analysis (GAA) for their job and complete the General Information Form.
4. The Director of Human Resources, or designee, will review and complete the employer portion of the General Information Form.
5. If the Director of Human Resources, or designee, finds upon review of the General Information Form that the prospective employee appears capable of performing the duties of the position, no further assessment will be done.
6. If, upon review of the General Information Form, the Director of Human Resources, or designee finds information that needs review by a medical practitioner, the form should be referred to a State Physician for further review. If it is determined that a physical examination is necessary, the prospective employee will be referred to a State Physician.
7. The prospective employee may be required to provide further medical information and/or complete further physical examinations or tests at his/her expense at the request of the State Physician.

8. The State Physician will send the completed medical packet to the designated Human Resource Representative with a final determination of whether the prospective employee meets the applicable MAPEP and requirements for the position (if applicable).
9. The Director of Human Resources will review the medical forms for completeness and ensure that a final determination has been made and documented by the State Physician as to whether the prospective employee meets the standards of medical and physical fitness for the position (if applicable).

C. Category I (Sedentary) positions

1. The prospective employee will review the job description and complete the General Information Form (MAPEP 10-51-03). These documents are located in the new hire package.
2. The Director of Human Resources, or designee, will review and complete the employer portion of the General Information Form (MAPEP-10-51-03).
3. If the Director of Human Resources, or designee, finds upon review of the General Information Form that the prospective employee appears capable of performing the duties of the position, no further assessment will be done.
4. If, upon review of the General Information Form, the Director of Human Resources, or designee finds information that needs review by a medical practitioner, the form should be referred to a State Physician for further review. If it is determined that a physical examination is necessary, the prospective employee will be referred to a State Physician.
5. The prospective employee may be required to provide further medical information and/or complete further physical examinations or tests at his/her expense at the request of the State Physician.
6. The State Physician will send the completed medical packet to the designated Human Resource Representative with a final determination of whether the prospective employee meets the applicable MAPEP and requirements for the position (if applicable).
7. The Director of Human Resources will review the medical forms for completeness and ensure that a final determination has been made and documented by the State Physician as to whether the prospective employee meets the standards of medical and physical fitness for the position (if applicable).

D. Reasonable Accommodation

If it is determined that a prospective employee has a condition that would impair the performance of the essential functions of the position, the Director of Human Resources will discuss with the prospective employee whether any reasonable accommodation could be provided. If such accommodation exists, the State Physician shall certify that the prospective employee, with the accommodation, meets the standards of medical and physical fitness for the position.

E. Denial of Employment

Prospective employees shall be notified, in writing, of the decision to rescind an offer of employment based on failure to meet the pre-employment physical standards based on any requirement of the Medical and Physical Examination Program. The written notification shall include information regarding the prospective employee's option to submit an appeal to contest any requirement of the Medical and Physical Examination Program.

F. Appeal Process

1. The decision to deny employment based on any requirement of the Medical and Physical Examination Program may be appealed only by the affected prospective employee within five (5) calendar days of the date on the notification of denial. The appeal must be made in writing, via email or regular mail, using the contact information provided in the notification of denial.
2. The written appeal must include the requirement of the Medical and Physical Examination Program being contested, and any supporting documentation the prospective employee is requesting to be considered.
3. Upon receipt of an appeal, the Director of Human Resources or designee shall review the fact and circumstances and obtain an informed medical opinion.
4. The Director of Human Resources will provide the individual(s) designated to provide the informed medical opinion with:
 - a. The available documentation from the State Physician and prospective employee,
 - b. Information regarding the essential functions and associated physical demands of the job, and
 - c. The specialized medical guidelines included in the Medical and Physical Examination Program for the applicable job.
5. After a review of all available facts and the recommendation provided by the individual(s) designated to provide the informed medical opinion, the Appointing Authority will issue a final administrative decision in writing to the prospective employee.
6. The Director of Human Resources shall notify the Commissioner of the Georgia Department of Administrative Services of any appeal or litigation filed in any court by a prospective employee that alleges a violation of Chapter 478-4 of the Rules of the State Personnel Board. When a decision regarding the issue is rendered by the Appointing Authority or court, a copy of the decision shall also be made available to the Commissioner of the Georgia Department of Administrative Services.

G. Record Keeping

1. All medical information will be treated as confidential by the Department.
2. All original medical documentation and forms will be maintained in the Confidential File located in the Human Resources Division.