

Policy Name: Fitness for Duty

Policy Owner: Georgia Tech Employee Relations

Policy Contact: Pearl Alexander, Sr. Director – Employee Relations

Reviewed By: Office of General Counsel; Faculty Affairs; Office of the Executive Vice President for Research; GTRI; Research Security; ASC Workforce Administration; Georgia Tech Human Resources; E12 Human Resources; College of Sciences Human Resources

Policy Steering Committee Approval: May 2024

Policy Purpose: This policy outlines Georgia Tech’s commitment to ensuring employees are fit for duty while also respecting employee privacy. An employee is fit for duty when they are able to perform their essential job functions, with or without reasonable accommodation, in a manner that does not pose a direct threat to themselves, to other employees, to students, or to the public. For all jobs at the Institute, regular attendance, ability to work without disruption to the workplace, and ability to comply with applicable conduct standards are essential job functions.

Summary of Substantive Policy Elements:

- The Fitness for Duty Policy applies to all employees of Georgia Tech.
- The Fitness for Duty Policy prescribes the circumstances under which an employee may be referred for a fitness for duty examination.
- The Fitness for Duty Policy outlines procedures to ensure Georgia Tech’s commitment to a safe workplace for all members of the Georgia Tech community.



Georgia Institute of Technology

Fitness for Duty Policy

Policy No.

Type of Policy:

Effective Date: TBD

Last Revised: N/A

Policy Owner: Georgia Tech Human Resources – Employee Relations

Policy Contact: Pearl Alexander, Sr. Director - Employee Relations,
pearl.alexander@gatech.edu

1. Reason for Policy

The Georgia Institute of Technology (Georgia Tech) is committed to ensuring that Employees are Fit for Duty while also respecting Employee privacy. Georgia Tech endeavors to provide a safe workplace for the benefit of all members of its community. This policy covers only those situations in which an employee is having observable difficulty performing assigned work duties in a manner that is safe for the employee and/or for the employee's co-workers or is posing an imminent safety threat to self or others. This policy prescribes the circumstances under which an employee may be referred for a fitness for duty examination.

2. Policy Statement

All Georgia Tech employees are expected to report to work fit for duty and able to perform their job duties in a safe, appropriate, and effective manner. Employees who have responsibility for on-call shifts must remain in a fit-for-duty condition for the entire on-call period. Employees are responsible for notifying their supervisor when they reasonably believe they are not fit for duty. In such instances, the employee should use available leave to seek proper medical or other attention and give proper notice regarding their absence.

A fit for duty determination process is initiated by the Institute when an employee's behavior causes reasonable suspicion that an employee may not be able to safely perform the essential functions of their job, with or without reasonable accommodation. Employees who are not fit for duty may present a safety hazard to themselves, to other employees, to students, or to the public.

3. Scope

This policy applies to all Georgia Tech employees.

4. Definitions

Direct Threat	A direct threat is a significant risk of substantial harm that cannot be eliminated or reduced by reasonable accommodation.
Employee	All employees, including any faculty or staff member, whether part-time, full-time, or temporary, and students.
Fitness For Duty	An employee is fit for duty when they are able to perform their essential job functions, with or without reasonable accommodation, in a manner that does not pose a direct threat to themselves, to other employees, to students, or to the public. For all jobs at the Institute, regular attendance, ability to work without disruption to the workplace, and ability to comply with applicable conduct standards are essential job functions.

5. Procedures

Fitness for Duty	Fitness for Duty Process
-------------------------	--

6. Frequently Asked Questions

Questions regarding approval and the implementation of Fitness for Duty should be directed to [GTHR-Employee Relations](#).

7. Responsibilities

Employee

Employees are responsible for complying with all aspects of the fitness for duty and evaluation procedures. Non-compliance may be grounds for disciplinary action up to and including termination.

Employees should notify their supervisor(s) when they observe a coworker acting in a manner that indicates the coworker may not be fit for duty. If a supervisor's behavior is of concern, an employee may inform the next level of management up to

senior leadership and/or contact GTHR-Employee Relations or the Chief Human Resources Officer.

Supervisor

Supervisors are responsible for following this policy’s procedures when presented with circumstances or knowledge that indicate an employee may be unfit for duty. Supervisors are responsible for maintaining confidentiality of circumstance and protected health information.

8. Related Information

Resource	Link
1988 Federal Drug Free Workplace Act.	https://www.dol.gov/agencies/eta/RRW-hub/Getting-started/Preventing-substance-use#:~:text=Under%20the%20Drug%2DFree%20Workplace,which%20includes%20drug%20testing%20requirements
Employee Alcohol and Illegal Drug Use Policy	https://policylibrary.gatech.edu/employment/employee-alcohol-and-illegal-drug-use
Employee Assistance Program (EAP)	http://www.gatech.edu/hr/eap
Family Medical Leave Act (FMLA)	https://benefits.hr.gatech.edu/fmla/
Americans with Disabilities Act (ADA)	https://hr.gatech.edu/disability-services/
Georgia Tech Equal Opportunity, Non-Discrimination and Anti-Harassment Policy	https://www.policylibrary.gatech.edu/employment/equal-opportunity-nondiscrimination-and-anti-harassment-policy

9. Policy History

Revision Date	Author	Description
TBD	GTHR	New Policy