

Content Owner: UVA Human Resources-Employee Relations & Faculty and Employee Assistance Program

Revised Date: 04/01/2020

<b><i>Standard Operating Procedure</i></b>
<b>Title:</b> <i>Fitness for Duty: Supervisor/Manager Responsibilities</i>
<b>Scope:</b> <i>Institution</i>
<b>Purpose:</b> <i>To facilitate compliance with supervisor responsibilities for addressing concerns regarding a Medical Center employee’s fitness for duty.</i>

**Background/ Rationale:** In accordance with [HR702 “Fitness for Duty”](#), employees are required to report to work in a mental and physical condition, including an alcohol and drug-free mental and physical condition, necessary to perform their essential job functions (“Fit for Duty”; “Fitness for Duty”). Employees who are not Fit for Duty may present a safety risk to themselves and to others and must not be allowed to work.

When there is concern that the employee is not Fit for Duty, the employee’s supervisor/manager shall follow the procedures set forth below. If the supervisor’s behavior is the focus of concern, the supervisor’s manager (Administrator on-call after hours) shall follow the steps below. If the employee becomes uncooperative at any time, contact UVA Security Dispatch 4-5048, UVA PD, or 911 as appropriate.

**Procedure:**

#	Action	Details
1	<p>If the employee is severely impaired and in need of medical intervention or behaving in a violent, aggressive and/or assaultive nature, follow the instructions contained in the <a href="#">Red Book</a>.</p> <p>If emergency medical or behavioral intervention is not required per the Red Book, proceed to Step 2.</p>	
2	<p>Notify Employee Relations Consultant and the Faculty and Employee Assistance Program (FEAP); follow their recommendations.</p> <p>*If suspected diversion, also notify Inpatient Pharmacy Supervisor: 247-6523, option 7</p> <p>After hours (M-F after 5:00pm and weekends/holidays) consultation may be obtained by contacting 924-0000 and asking for the on-call FEAP counselor.</p>	<p>The consultation with HR and/or FEAP shall include:</p> <ul style="list-style-type: none"> <li>• Discussion of any concerns about safety and the development of a plan to provide support for the employee.</li> <li>• Obtaining an appropriate witness for a private interaction with the employee, if possible.</li> <li>• Arrangement for removal of the employee from the worksite if the employee is deemed unfit for duty (unless the employee poses an immediate safety threat in which case the supervisor should call 911).</li> <li>• Identification of an appropriate escort if the employee is required to go to Employee Health.</li> </ul>

#	Action	Details
3	Obtain an appropriate witness, if feasible, to witness a private conversation with the employee.	Witness shall be an Employee Relations representative or a supervisor/manager position or above.
4	Remove employee from job duties; Complete an <a href="#">Initial Observation Report Form</a> in its entirety.	<ul style="list-style-type: none"> <li>Form must be completed based on objective evidence and not on assumptions or stereotypes. This may occur in conjunction with Step 5 below.</li> </ul>
5	<p>Hold a private conversation with the employee to state concerns for the safety and well-being of the employee and/or patient.</p> <p>Complete the <a href="#">Initial Observation Report Form</a></p>	<ul style="list-style-type: none"> <li>Inform the employee that they are relieved from duty at this time.</li> <li>In private, ask the employee to explain any signs of possible impairment and document the employee's response on the <a href="#">Initial Observation Report</a> form.</li> <li>Identify means for transporting the employee safely home.</li> <li>If employee is unable to call a family member/friend to transport the employee home, arrangements for transport shall be made through the Social Work Department.</li> <li>The supervisor or other staff members should not personally drive the employee home or to the testing site if located in an off-site location.</li> </ul>
<p>a. If suspected diversion without an associated suspicion of impairment is the concern, proceed to Step 6.</p> <p>b. If suspected impairment is the concern and after the witnessed conversation the supervisor/manager determines suspected impairment is founded, proceed to Step 6.</p> <p>c. If suspected impairment is the concern and after the witnessed conversation the supervisor/manager determines suspected impairment is unfounded (employee provides a reasonable explanation for observed behavior), then:</p> <ul style="list-style-type: none"> <li>Fax/scan and send the completed Initial Observation Report Form to FEAP (FEAP will send a copy to Employee Relations).</li> <li>STOP INTERVENTION HERE.</li> </ul>		
6	Provide a copy of the <a href="#">Initial Observation Report Form</a> and <a href="#">HR 702 Fitness of Duty</a> policy to the employee.	
7	Scan/Fax completed <a href="#">Observation Report Form</a> to FEAP	FEAP will send a copy to Employee Relations

#	Action	Details
8	<p>If the employee is required to go to Employee Health, escort the employee to the Employee Health for appropriate screening and remain for disposition.</p> <p>The supervisor may delegate escorting duties to another staff member.</p>	<p>The employee must be informed that failure to comply with this directive shall result in suspension and disciplinary action up to, and including, termination. The escort must remain with the employee the entire time—until the employee leaves the worksite</p> <p>If located in an off-site location, contact Employee Relations for assistance regarding transportation to test site. The supervisor or other staff members should not personally drive the employee to the testing site.</p>
9	Arrange transportation for employee	<p>If the employee has transportation (family or friend), proceed to Step 10.</p> <p>If the employee does not have transportation, contact Emergency Relations Consultant (or ED Social Worker, if consultant is unavailable; PIC 1384) to arrange a taxi ride covered by UVA or use a Rideshare App (Uber, Lyft, etc.) at the expense of the employee.</p>
10	<p>Escort employee to designated transportation</p> <p>The supervisor may delegate escorting duties to another staff member</p>	The escort must remain with the employee the entire time—until the employee leaves the worksite
11	Notify supervisor (supervisor’s/manager’s) of the situation/event after the employee leaves the worksite	
<p>Screening/test results may take several days. When the results are ready, Employee Relations will notify the Supervisor/Manager. The Supervisor/Manager shall work with Employee Relations on appropriate next steps.</p>		

**ADDITIONAL INFORMATION:**

**RESOURCES:**

- [HR 702: Work Flow for Suspected Impairment of Medical Center Employee](#)
- [HR 702: Work Flow for Suspected Controlled Substances Diversion](#)

**REFERENCES:**

- [Medical Center Policy HR702 “Fitness for Duty”](#)

REVISION HISTORY				
Version	Reason (new, cyclical, external)	Relevant Reviewers	Approved By (Area leadership)	Date of Approval
1	New	A. Howell & B. Wade (HR); B. Danehy (FEAP); K. Hipwell (Pharmacy); H. Hintz (Nursing)	J. Christian, Senior Director Health System HR	March 2020