

# **Ordered Absence and Referral for Psychological Medical Re-Evaluation**



**Chief Executive Office  
Risk Management Branch  
Return-To-Work Unit**



# County Policies Procedures and Guidelines (PPG – 810) and Psychological Medical Re-Evaluation

Ordered Absence From Regular Work Location is a **non-disciplinary, paid action** when an employee is reassigned by management to a non-County work location, **including the employee's home.**

# Ordered Absence and Medical Re-Evaluation Referral

- This application process is pursuant to **County Code Section 2.06.070** and **Civil Service Rule (CSR) 15.01**, which gives Department Heads the authority to assign work and reassign employees based on the needs of the department.
- When the department makes the determination of the need to place an employee on Ordered Absence due to an employee's conduct that has affected their performance, then Occupational Health Programs should be consulted to discuss submitting a request for a psychological medical re-evaluation.

# Ordered Absence and Medical Re-Evaluation Referral continued...

- It should be noted that the execution of Ordered Absence is at the discretion of the departments, therefore, **ordering an employee to remain at home**, as opposed to reassignment to a different work location (with appropriate supervision) within the department, or a non-County work location, should be a last resort.

# Ordered Absence and Medical Re-Evaluation Referral continued...

The purpose of such Psychological Medical Re-Evaluation, pursuant to **CSR 9.07(B)**, must be to determine the following:

- The capacities of the employee to perform his/her job duties satisfactorily to prevent risk of harm or danger to the employee, other employees, or the public.
- To reduce the County's liability for potential actions of the employee by ensuring such re-evaluation shall be concerned only with the medical condition related to the satisfactory performance of the required duties or to the protection of the health, safety, and welfare of the employee or others.

# Ordered Absence and Administrative Requirements

The application of **PPG-810** in this context is non-disciplinary and does not utilize the provisions of **CSR 18.01** (Suspension), which has due process requirements.

If a potentially unsafe, critical, or emergency problem involving an employee arises in the workplace or while off duty, and there is a job nexus;



And, the appointing authority or designee immediately determines the need to reassign the employee to his/her home with pay, pending the completion of the psychological medical re-evaluation by Occupational Health Programs;



Then, immediately engage the employee in an Interactive Process Meeting and provide the effective date and conditions for such reassignment to home.

# Placing an Employee on Ordered Absence

- ➡ The conditions are to include that, while on reassignment to home, the employee must be available and reachable during specified working hours for the psychological medical re-evaluation or department needs.
- ➡ Ordered Absence should be appropriately coded as “**033**” on all payroll and timecard records.

# Placing an Employee on Ordered Absence continued...

- ➡ Information regarding the Ordered Absence, including all correspondence to the employee and those received from Occupational Health Programs, should be **confidential** and separated from the employee's personnel file.

# Following Medical Re-Evaluation Determination

If Occupational Health Programs determines the employee is **unfit** to perform the Essential Job Functions of his/her current position, however, may be able to perform the Essential Job Functions of **another** position in the County:

- ➡ It is recommended that Departments immediately consult with the CEO Risk Management/Return-To-Work Unit to determine a plan of action.

# Following Medical Re-Evaluation Determination continued...

- ➡ Schedule an IPM with the employee to discuss status from Occupational Health Programs, and all other employment options available.
- ➡ After all of the above has been communicated to the employee, departments may immediately **end** the Ordered Absence and place the employee on a position compatible with the suggested work restriction(s), if any, with or without reasonable accommodations.

# Following Medical Re-Evaluation Determination continued...

If Occupational Health Programs determines the employee is **unfit** to perform the Essential Job Functions of his/her current position or **any** other position, at such time and in the foreseeable future:

- ➡ Departments should immediately consult with the CEO Risk Management/Return-To-Work Unit, as advised by the Occupational Health Program's letter, to determine a plan of action.
- ➡ Schedule an IPM with the employee to discuss status from Occupational Health Programs. Provide the employee with relevant benefit options, including all available time on the books (i.e., Sick, Sick Personal, Percentage Time, Vacation, Holiday, etc.). Also provide information on FMLA, STD, LTD, and LTD Health Insurance.

# Following Medical Re-Evaluation Determination continued...

- ➡ Explore eligibility for LTD benefits and notify Sedgwick CMS of OHP's determination.
- ➡ Pursue medical release (if applicable), or disability retirement pursuant to section **31721** of California Government Code.
- ➡ After all of the above has been communicated to the employee, departments must immediately alert the employee of when the Ordered Absence will end.

# Contact Information

- For all other questions regarding PPG-810, as it relates to performance management and consistent with **Civil Service Rule 18**, please contact the **Department of Human Resources, Civil Service Advocacy Division**, at **(213) 253-9600**.
- Any questions regarding the placement of an employee on an Ordered Absence, as it relates to Policies, please contact the Manager of the **Department of Human Resources, HR Departmental Support Division for Policies**, at **(213) 639-6386**.

# QUESTIONS

