

9.07 - Medical reevaluation.

A.

The director of personnel may require a reasonable medical reevaluation at the time of promotion, demotion, reassignment, or other changes of status of an employee from one class to another class with increased physical, psychological and environmental demands. Such change of status shall not be completed until the employee has shown that the increased physical, psychological and environmental demands are met.

B.

An employee may request, or an appointing authority may, with the consent of the director of personnel, require an employee to have a medical reevaluation. The purpose of such reevaluation must be to determine the capacities of the employee to perform the duties of the employee's job satisfactorily and without undue hazard to the employee or others. Accordingly, such reevaluation 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.

C.

If the employee's condition is the result of a work-incurred injury which falls within the jurisdiction of the workers' compensation appeals board, the determination by the director of personnel of the employee's medical capacities shall be based solely upon the medical evidence used by the appeals board in its disposition of the case.

D.

The appointing authority, with the consent of the director of personnel, may require periodic reevaluations for classes in the safety series to assure adequate capability to protect the public.

(Ord. 88-0020 § 1 (part), 1988.)

9.08 - Partially or fully incapacitated employees.

Whenever, upon medical reevaluation or competent medical or legal evidence, an employee who has previously qualified is found to be unable to perform the duties of his/her position satisfactorily, due to a medical incapacity of a continuing nature:

A.

The employee may submit a request to the appointing authority for reassignment, voluntary demotion, or transfer to a position for which the employee has the qualifications. Any voluntary demotion under this rule must be with the approval of the director of personnel.

B.

If no action is taken under paragraph A of this Rule, the director of personnel shall, consistent with his determination of the employee's medical capacities, recommend the most appropriate of the following alternatives:

1.

Return of the employee to suitable work through one of the following means:

a.

Modification of the employee's duties or change of his/her assignment,

b.

Change of classification or reduction to another position in the employee's department,

c.

Transfer to a position in another department. Where appropriate, this recommendation will include a retraining program;

2.

Disability retirement of the employee, in accordance with the employee's eligibility under appropriate provisions of the Government Code;

3.

Release of the employee in accordance with paragraph C of this Rule. The appointing authority considering the recommendations of the director of personnel may change classification or reduce the employee to a position for which the employee is qualified or for which the employee can be trained within a reasonable period of time. Where the appointing authority indicates that he/she cannot follow the recommendation of the director of personnel for a change of classification or reduction, the director shall place the employee on appropriate departmental reemployment lists, provided the employee's performance has been competent or better. Such lists shall only be applicable to positions that are compatible with the employee's medical capacities, and training and/or experience.

C.

If there is no suitable position in which the employee can perform satisfactorily, the appointing authority may release the employee, subject to the applicable provisions of Rule 18, said release to be without prejudice as to reemployment should the employee's condition improve.

(Ord. 88-0020 § 1 (part), 1988.)