

ARTICLE 5. CONDITIONS OF EMPLOYMENT
RULE 506. MEDICAL EVALUATION
PROGRAM

EFFECTIVE DATE: 05/04/98
REVISED DATE: 01/28/03

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- A. PURPOSE:** The medical evaluation program is established to reasonably ensure that a compatibility exists between the physical/mental capability of the individual and the demands of the position being offered or held.
- B. OBJECTIVES:** The objectives of the medical evaluation program are:
1. Compliance with all applicable State and Federal laws governing employee selection, promotion and retention;
 2. Employment of candidates who are physically and mentally able to perform safely the duties of the position;
 3. Provision of general guidelines to a designated Physician (the "Physician") to determine the physical/mental ability of a person for Judicial employment.
- C. PRE-PLACEMENT MEDICAL EVALUATIONS:**
1. A pre-placement medical examination may be required by the Division Head after an offer of employment has been made as a condition of employment only if it is relevant to the job and required for all candidates in a given classification. The Superior Court Personnel Office will coordinate such medical examinations with the Division Head.
 2. Each individual selected to be appointed as a probationary employee or promotional employee shall be required to submit drug screening, given or authorized by the Physician. The individual shall not be employed or appointed unless the Physician advises the Court that the individual successfully completed the drug screen.
 3. Individuals selected for other than regular employment may be required to successfully complete a drug screening. Referrals to the Physician may be made at the discretion of the Division Head.
- D. SPECIAL MEDICAL EVALUATIONS:** A special medical evaluation consists of tests essential to determine the employee's physical or mental condition and capability to perform safely the duties of his/her current position.
1. An employee may be required to undergo a special medical evaluation, which may include drug screening, by the Physician if one or more of the reasons listed below exists:

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- a. Demonstrated or apparent inability to do a safe or satisfactory job because a change in the physical or mental condition of the employee;
- b. Return from an absence because of a serious illness or an off-the-job injury when time lost has exceeded thirty (30) working days or for a medical emergency;
- c. Return from a leave for any duration when the leave is for medical reasons or health status of the employee is questionable;
- d. Assignment to a new position that requires greater physical capability;
- e. Appearance of an employee to be unsteady or working while groggy or incoherent or other unusual or out of the ordinary behavior or performance;
- f. Unusually frequent use of sick related leave as evidenced by failure of an employee to accumulate leave;
- g. Unusual number of industrial injuries or repeated recurrences of disability from previous injuries hindering performance.

It generally is the responsibility of the employee's Division Head to request an appointment for each evaluation through the Physician as soon as a need is determined. Such request shall be in writing and shall be coordinated through the Court Administrator's Office.

2. The Division Head may require a Medical Evaluation of an employee suspected of being under the influence of drugs and/or alcohol while on the job. In this case, the employee is immediately transported to the Physician or, in the absence of the Physician, to another medical facility designated by the Court. The Physician shall require the employee to sign a medical evaluation consent form. The employee's written consent to the examination is necessary, and the employee shall be advised of his/her options and the consequences of his/her decision. An employee who refuses to give written consent for the evaluation may be subject to disciplinary action up to and including dismissal.
3. For all reasons, except Rule 506(D)(1)(g) above, the employee shall not be returned to work until his/her condition has been determined to be satisfactory by the Physician or alternate. It is the responsibility of the Division Head to ensure that an employee who has been given a Medical Evaluation does not return to work without

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authorization by the Physician.

4. If the employee has a medical condition which can be corrected, the employee shall comply with the Physician's recommendation to correct conditions considered to limit his/her capabilities or to constitute a safety hazard to him/herself or others. Treatment shall be at no expense to the Court or Mohave County except as normally provided through the health benefit plans and shall be done as soon as possible or by the time established by the Physician in conjunction with the Division Head.
5. If an employee fails to comply with the Physician's recommendations within a reasonable time, the employee may be subject to disciplinary action up to and including dismissal. However, no such employee shall be separated until the Division Head has made an effort to place the employee in an existing vacancy elsewhere in the Judicial service for which the employee is qualified and which is compatible with the capabilities of the employee as defined by the Physician.
6. If the Physician determines that an employee is medically disabled, and therefore no longer able to perform safely the duties of his/her position, the Division Head shall analyze the position to determine whether the work environment and/or the essential job duties can be altered to accommodate the employee's condition. If reasonable accommodation cannot be attained, the Division Head may place the employee in another job of the same range compatible with his/her capabilities if a vacancy exists.
7. If the employee is not placed in a position with the division, the Division Head may lay the employee off pursuant to Merit System Rule 801(E).