

EMPLOYMENT RELATED PHYSICAL ASSESSMENTS

The Americans with Disabilities Act has changed some of the conditions associated with administering employment related physical assessments. Applicants for positions requiring an employment related physical shall undergo the medical examination after referral to the department from Personnel and after a conditional offer of a job has been extended. It is essential to clearly state that the offer is contingent on the results of the exam.

Employment related physical exams have been administered for several years to job candidates seeking positions that have inherent physical demands. More recently, the Sheriff's Department has begun administering employment related psychological exams. The goal of physical and psychological testing is to provide an objective assessment of the job applicant's ability to safely perform essential job tasks so as to decrease the occurrence of employment related injuries or illnesses.

Successful completion of an employment related physical and/or psychological exam is valid criteria only for positions in which physical or psychological standards are determined to be a job-related business necessity. It is extremely important that physical and psychological standards do not unlawfully discriminate against job candidates. Federal law mandates that any employment practice that adversely impacts employment opportunities of a protected group is lawful only when: the employment practice is a "business necessity" i.e., the practice is necessary for the safe and efficient operation of the business; and the employment practice is "job related".

In order to utilize employment-related physical and psychological exams as employment criteria, job related physical/psychological standards must first be established for a classification or group of classifications. The job analysis system for physical standards must include an on-site observation and measurement of factors critical to the physical performance of the job. Typical ways that this is achieved include direct observation of work performed and structured group interviews soliciting critical performance factors.

Currently there are two agencies/hospitals, which are approved by Clackamas County, and will contract to perform a job analysis and determine job related physical standards. Departments that wish to utilize physical assessments will be required to contract with an approved occupational health program provider which will develop an employment related physical exam to address the job related standards. Additional information on approved contractors is available by contacting the Policy and Administration Section in the Personnel Division. Departments who wish to utilize psychological assessments will be required to utilize an approved resource certified to develop job related psychological standards and render psychological assessments.

Employment related physical/psychological assessments may include a medical history interview, physical/psychological examination, and/or a job-related standardized performance assessment. Examinations shall be conducted by a duly certified medical professional identified by the County for this purpose. The department requiring the employment related physical/psychological exam will pay for the process.

Applicants for these positions shall undergo the medical examination after referral to the department and after having a conditional job offer extended, but prior to being appointed to the position. The job offer must first be made and it is essential to clearly state that the offer is contingent on the results of the exam. All entering employees in the same classification must undergo the same physical/psychological screening and/or inquiry regardless of disability. The appointing authority shall not act on the outcome of the exam until receipt of the written recommendation. The medical professional's report will be submitted to the Personnel Division along with the "hiring" Personnel Action or with a request for "not suitable" if the recommendation is that the applicant is not qualified. All examination results and medical records shall be kept confidential and separate from other employee files.

If you wish further clarification or information, please contact the Policy and Administration Section in the Personnel Division.

INTERNET LINKS

County Ordinance (<http://www.clackamas.us/code/documents/title2.pdf>)