



STATE OF ALASKA DEPARTMENT OF CORRECTIONS  POLICIES & PROCEDURES	SECTION: Personnel		PAGE: Page 1 of 4
	CHAPTER: 200	NUMBER: 201.05	P&P TYPE: Public
	TITLE: Psychological Fitness for Duty Evaluation		
	APPROVED BY:  Nancy A. Dahlstrom, Commissioner		DATE: 01/01/2022
ATTACHMENTS / FORMS: N/A		AUTHORITY / REFERENCES: 13 AAC 85.210 22 AAC 05.155 ADA Act of 1990 Bonsignore Vs. City of New York Watson Vs. City of Miami ACOA Clause Art 24.4 OSHA APSC	

POLICY:

- I. It is the policy of the Department of Corrections (DOC) that every agency addresses whether a pre-employment or current employee has a psychological condition that may pose a potential threat to the employees or others in the workplace.
- II. It is the policy of the Department to follow all applicable Collective Bargaining Agreements regarding Psychological FFDE and APSC regulations for pre-employment.
- III. It is the policy of the Department that the results of the Psychological FFDE be treated as confidential medical records.

APPLICATION:

This policy applies to all Department pre- employment and current employees within the Department of Corrections.

DEFINITIONS:

FFDE –Fitness for Duty Evaluation.
APSC- Alaska Police Standards Council

PROCEDURES:

- I. Purpose of Fitness for Duty Evaluation:
 - A. APSC guidelines require that a pre-employment psychological FFDE assessment is a requirement by the DOC as it is a minimum qualification for all candidates. The examination screens for mental

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capacity for performing the essential functions of the jobs of probation, parole, or correctional officer and is intended to gage whether that the person is free from any emotional disorder that may adversely affect the person’s performance as a probation, parole, or correctional officer. This assessment is not subject to release or appeal.

B. In accordance with APSC standards, a current employee may be required to undergo a psychological fitness for duty evaluation when an employer has valid evidence that an employee is a current liability and has exhibited behavior that is either a medical or psychological condition that may pose a potential threat to the employee or others in the workplace:

1. Use or possession, or influence of alcohol or illegal drugs.
2. Use of legal drugs that adversely affect the employee’s ability to perform his/her job functions safely.
3. Slurred or incoherent speech.
4. Observed problems with vision, awareness, coordination, or dexterity.
5. Aggressive or threatening behavior.
6. Unpredictable mood or behavioral changes.
7. Drowsiness, sleepiness, or other signs of fatigue.
8. Any other physical or psychological condition that affects the employee’s ability to practice his or her job functions successfully and safely.
9. Failed psychological pre-employment testing for another APSC Certified position within the DOC.

II. Informed Consent:

A. When an employee holding a permanent status is required to submit to a psychological Fitness for Duty Evaluation (FFDE), for other than promotional reasons, the following shall apply:

1. The Department follows all applicable collective bargaining agreements. The employee shall be provided with the notice of the FFDE.
2. Upon providing the employee notice of the FFDE, the DOC must obtain:

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- a. An informed consent containing release of information from the employer to the evaluator.
 - b. Employer observations to initiate the Psychological FFDE.
 - c. The employee's agreement to participate and release of the evaluator's findings.
3. The FFDE will be conducted at no charge to the employee.
 4. The employee will be afforded an opportunity to meet with management personnel following the FFDE and prior to any administrative determination by the employer regarding the employee's employment status. At the employee's request, Association Union representation will be provided at any such meeting(s).

III. Confidentiality and Completion of Evaluation:

- A. The pre-employment, Psychological FFDE assessment, is solely a suitability screening for the position applied to. The DOC does not provide details of the Psychological FFDE to candidates, and they treat the evaluation as confidential and separate medical records.
- B. The Psychological FFDE is limited to determining suitability of the current employee's job class. The Psychological FFDE results are not a medical diagnosis.
- C. After completion of the FFDE, the evaluator will provide the employer with a written report describing the initial rationale for the evaluation, the evaluator methods, and when possible a clearly-articulated opinion on whether the employee is presently fit for unrestricted duty. The content of the report will be guided by the terms of the employees informed consent form and authorization, relevant to the employee's psychological fitness and, relevant employment law. The evaluator may find the employee to be:
 1. Fit for duty, no restrictions.
 2. Fit for duty, but with restrictions or modifications.
 3. Unfit for duty.
- D. Unless the evaluator finds the current employee fit for duty, the report should contain at minimum the following information (unless prohibited by the law, employer policies or labor agreement, or the employee's disclosure authorization):

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1. Description of the employee's job-relevant functional impairments or limitations; and
2. An estimate of the likelihood of, and time frame for, a return to unrestricted duty and the basis for that estimate.

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