

REVISION OF CAREER SERVICE RULE 5-20 MEDICAL EXAMINATIONS
PLEASE READ AS SOON AS POSSIBLE

TO: Appointing Authorities, Managers and Employees

FROM: Pete Garritt, HR Supervisor, Employee Relations and Records

DATE: June 17, 2010

SUBJECT: Revision of Career Service Rule 5-20 **Medical Examinations Following a Conditional Offer of Employment**

This revision makes the following changes to Rule 5-20:

- The rule has been re-organized for better flow.
- A section has been added making it clear that the Personnel Director can delegate authority given under Rule 5 to a subordinate.
- All Career Service classifications are assigned to a medical group. Under the old rule, the medical groups were given numbers. Under the new rule, the medical groups have been given letters.
- Under the old rule, only Denver Health could propose medical criteria for medical groups and administer post-offer conditional medical examinations. With this revision, medical criteria can be proposed by and medical examinations administered by the City's 'designated providers.' The term 'designated provider' is defined in the City ordinances and in the state's Workers' Compensation laws. Under these laws the City is required to designate at least two health care providers as approved to treat employees with occupational injuries or diseases. Currently the City's designated providers are Denver Health and Concentra.
- The new rule explicitly states that these medical criteria are to be job related and consistent with business necessity.
- Under the old rule, the Career Service Board was responsible for approving the assignment of classifications into medical groups and for approving medical criteria. With this revision, these approvals are now the responsibility of the Career Service Personnel Director or his or her designee. Additionally, this rule change removes the ability of the Personnel Director to waive medical criteria for individual employees.
- Applicants for positions in the 'Sedentary' category can now be required to take a medical examination if their particular position has duties that require a high degree of physical fitness and health.
- This rule change makes it clear that if it is determined that if an applicant is unable to perform the essential functions of a position with or without reasonable accommodations, the conditional offer of employment shall be rescinded.

MEMORANDUM

REVISION 54 SERIES C

TO: Holders of CSA Rule Books
FROM: Career Service Board
DATE: June 17, 2011
SUBJECT: Revision to Career Service Rules

The Career Service Board has approved the following revisions to Career Service Rule 5-20 Medical Examinations Following a Conditional Offer of Employment.

	<u>Page Number</u>	<u>Issuance Dates</u>
Remove:	5-1	October 14, 2010
Replace:	5-1, 5-1.1	June 17, 2011

PLEASE INSERT IN YOUR RULE BOOK AS SOON AS POSSIBLE. THANK YOU.

**RULE 5
APPOINTMENTS AND STATUS**

Section 5-10 Appointment by Appointing Authority

The Career Service shall comprise all employees of the City and their positions, subject to the exceptions in the City Charter (relevant sections have been attached as an appendix to this rule). Election Judge positions are not part of the Career Service. Appointment to any position in the Career Service shall be made by an appointing authority, subject to local, state, and federal employment laws. (Effective June 8, 2007; Rules Revision Memo 19C)

Section 5-15 Delegation of Authority by Personnel Director
(Effective June 17, 2011; Rules Revision Memo 54C)

The Career Service Personnel Director ("Personnel Director") may delegate any authority given under this rule to a subordinate employee.

Section 5-20 Medical Examinations Following a Conditional Offer of Employment
(Revised effective June 17, 2011; Rules Revision Memo 54C)

5-21 Medical Groups

All classifications in the Career Service shall be allocated to a medical group by the Personnel Director. The medical groups are as follows:

- A. Heavy (H): Positions which demand a very high degree of physical fitness and health.
- B. Medium (M): Positions which demand considerable labor and exertion or in which safety considerations mandate a high degree of physical fitness and health.
- C. Sedentary (S): Positions which require little physical labor or exertion and an average degree of health.

5-22 Adoption of Medical Standards

Medical criteria for each medical group or for individual classifications within a medical group shall be proposed by the Center for Occupational Safety and Health at Denver Health or by another designated provider (as defined in Chapter 18, Article VII of the Denver Revised Municipal Code – Treatment of Occupational Injury or Disease), if selected by the appointing authority. Approval of the proposed medical criteria shall be the responsibility of the Personnel Director. Medical criteria must be job-related and consistent with business necessity. Medical criteria shall be used as a guide in determining an applicant's ability to perform the essential physical functions of a position either with or without reasonable accommodations.

5-23 Medical Examinations

- A. Applicants who are offered positions in a classification in group H or M are required to submit to a medical examination after receiving an offer of employment conditioned on the results of the medical examination. The examination shall be administered by one of the City's designated providers (as defined in the previous subsection). The examination shall be completed after the conditional offer of employment has been given to the applicant and before the first day of work.
- B. Applicants who are offered positions in a classification in group S are not required to submit to a post-employment offer medical examination unless the position has other assigned duties that demand a high degree of physical fitness and health (such as operating snow removal equipment). The determination of whether a conditional offer of employment and a post-employment offer medical examination is required shall be made by the appointing authority and shall be based on the physical requirements of the position.
- C. If it is determined that the applicant is unable to perform the essential functions of the position with or without reasonable accommodations, the offer of employment shall be rescinded.