

Procedure: 4.6.1p

Medical and Physical Examinations

Revised: March 26, 2024; March 10, 2020; January 18, 2017; July 26, 2016; May 17, 2016; and October 1, 2001.

Last Reviewed: September 22, 2022; and March 10, 2020.

Adopted: October 1, 2001



I. PURPOSE:

The Technical College System of Georgia (TCSG) will conduct medical and physical examinations in accordance with applicable federal and state laws and the regulations outlining the State of Georgia Medical and Physical Examination Program. This procedure outlines the process by which medical and physical examinations are conducted for prospective and current employees, emphasizing fairness, confidentiality, and the promotion of a diverse and inclusive workforce. TCSG seeks to mitigate risks associated with potential health-related job performance issues, minimize workplace accidents, and foster a culture of accountability and support for employee health and wellness.

The Medical and Physical Examination Program (MAPEP) has been developed to:

1. Ensure that prospective employees are physically capable of carrying out the job duties.
2. Protect prospective employees from possible harm associated with employment, which may occur due to pre-existing physical conditions.
3. Protect the State from potential liability under workers' compensation laws for conditions arising after employment but caused in whole or part by pre-existing physical conditions.
- 4.

With the exception of pre-hire physical examinations required by MAPEP and pre-hire psychological evaluations required by TCSG Procedure 7.1.2, the TCSG Department of Public Safety Standard Operating Procedure Manual, any medical, physical, or mental health evaluations requested must be approved by the TCSG General Counsel and the TCSG Executive Director for Human Resources.

II. RELATED AUTHORITY:

Attorney General Opinion 81-23 – Legislative Intent of Georgia.

O.C.G.A. § 45-2-40 – Employees to Furnish Certificate of Physical Fitness for Employment.

O.C.G.A. § 20-4-14 – TCSG Established; Powers and Duties.

State Personnel Board Rule 478-4-01, et seq.

TCSG State Board Policy 4.6.1 – Medical and Physical Examination (MAPEP) Program.

TCSG Procedure 4.1.4p – Categories of Employment.

TCSG Procedure 4.6.2p – Reasonable Accommodations in Employment.

TCSG Procedure 4.1.9p – Background Investigations.

III. APPLICABILITY:

All work units and Technical Colleges that are associated with the Technical College System of Georgia.

IV. DEFINITIONS:

- A. **Physical Examination:** prospective employees for positions with essential functions requiring strenuous physical activity or potentially life-threatening working conditions shall undergo a physical examination following the MAPEP specialized medical guidelines as a condition of employment. NOTE: these examinations are generally limited to Category 5 positions.
- B. **Prospective Employee:** any person other than the TCSG Commissioner who has been offered employment and will work thirty (30) hours per week and whose employment shall not be short-term, temporary, contingent, intermittent, part-time, or (of a) student nature.
- C. **(Qualified) Medical Practitioner;** any medically trained person licensed to assess a prospective employee's medical and physical condition, e.g., a licensed physician.
- D. **Self-Assessment:** pertains to positions that require only general health conditions/standards, and the prospective employee assesses himself/herself by completing a questionnaire or statement form.
- E. **TCSG Work Unit:** the TCSG System Office, Quick Start Headquarters, Quick Start Regional Office or training center, or an associated Technical College.

V. ATTACHMENTS:

- 4.6.1p.a1 MAPEP Category for TCSG Jobs (Excel Spreadsheet)
- 4.6.1p.a2 Medical History Report Form (MS 10-52)
- 4.6.1p.a3 Memorandum to Examining Physician (MS 10-55)
- 4.6.1p.a4 Medical Examination Report to Employing Agency (MS 10-57)
- 4.6.1p.a5 Specialized Medical Guidelines for Category 5 Positions
- 4.6.1p.a6 Medical Findings Form (MS 10-56)
- 4.6.1p.a7 General Information Form (MS-51-03)

VI. PROCEDURE:

A. MAPEP General Provisions

1. The Medical and Physical Examination Program (MAPEP) has been developed to:
 - a. Ensure that prospective employees are physically capable of carrying out the job duties.
 - b. Protect prospective employees from possible harm associated with employment, which may occur due to pre-existing physical condition(s).
 - c. Protect the State from liability under worker's compensation laws for condition(s) arising after employment but caused in whole or part by pre-existing condition(s).
 - d. To provide a consistent, job-related process for determining and applying the medical and physical standards.
2. For purposes of this procedure and according to the TCSG procedure governing Categories of Employment, a prospective employee covered by MAPEP is an individual who has been provided a contingent offer of employment by any TCSG work unit for a full-time, benefits-eligible position that entails a work commitment of

- thirty (30) hours or more per week.
3. Completion of MAPEP forms and the accompanying review process should be initiated after the selected candidate has been provided a contingent offer of employment and has completed all other identified conditions. NOTE: According to MAPEP guidelines, these activities must be completed before an employee receives his/her first paycheck.
 4. Any request for a physical examination for a position not included in Attachment 4.6.1p.a1. as a Category 5 position or any request for additional laboratory testing or physical examination(s) beyond those considered in a routine MAPEP physical examination must be submitted to and approved by the TCSG General Counsel or Legal Services Officer before any prospective employee is required to undergo such testing/examination.
 5. Any required physical examination must be completed prior to the date employment begins. All results must be reported to the TCSG work unit within forty (40) calendar days after the employee begins work.
 6. All medical information obtained in conjunction with the administration of the Medical and Physical Examination Program and this procedure is confidential, and all records will be maintained separately from all other personnel records/documents. Additionally, these records may only be accessed/reviewed by System Office or Technical College official(s) when there is a job-related reason to do so or as required by federal or State law or in conjunction with a judicial proceeding.

B. Job Categories

1. Five (5) job categories have been established in MAPEP for use by all state agencies, including:
 - a. Category 1: Primarily sedentary jobs with little to no physical work or with limited to no unusual working conditions (e.g., desk or office jobs);
 - b. Category 2: Moderate to heavy physical activity and/or consistent exposure to working conditions that may interact with an employee's medical or physical fitness/condition. Physical activity may involve heavy lifting, pushing or pulling, extended climbing, crawling, or bending; exposure to excessive heat or cold, using knives or other sharp objects; or the operation of potentially dangerous equipment, e.g., forklifts, arc welders, or power tools.
 - c. Category 3: Positions involving food preparation or the handling of raw consumable animal products;
 - d. Category 4: Health-related positions involving direct contact with or exposure to air-borne pathogens, blood-borne pathogens, human body parts or products, or hazardous chemicals or radiation; and,
 - e. Category 5: Strenuous physical activity and/or extreme or potentially life-threatening working conditions requiring a high level of physical capability (e.g., P.O.S.T. certified Campus Police Officers and Campus Police supervisory positions).
2. All TCSG jobs have been assigned to one of five (5) job categories as referenced in Attachment 4.6.1p.a1.
3. The designation of a specific position may differ from others in a given job dependent upon the type and level of medical/fitness screening necessary concerning assigned duties and responsibilities, functional requirements, working conditions, and associated environmental concerns (e.g., working in excessive heat, cold, etc.). Concerning a System Office or Quick Start position, this determination may be made by the System Office Director of Human Resources or his/her designee. Concerning a Technical College position, this determination may be made by the Technical

College Director of Human Resources, Vice President of Administration, or other college officials.

C. Types of Assessment

1. Positions in Job Category 1 – Job Category 4
 - a. Candidates for positions assigned to Category 1 through Category 4 must complete the General Information Form (MS 10-51-03, 4.6.1p.a7). Candidates should only be provided with this form after a contingent offer of employment has been made.
 - b. If, after a review of submitted MAPEP forms, it is determined that the provided information should be reviewed further to determine if the prospective employee can perform the essential functions of the position, all completed forms should be referred to a physician under contract with the System Office or Technical College for his/her review.
 - c. If, after a review of submitted MAPEP forms, it is determined that a physical examination is necessary or additional testing is required, the Medical Findings Form (MS10-56, 4.6.1p.a6) will be provided. Before a prospective employee is notified of the requirement for a physical examination, approval must be obtained from the TCSG General Counsel or Director of Legal Services. If approval is obtained, the prospective employee may be referred to a physician under contract with the System Office or Technical College, or the prospective employee may elect to use a medical practitioner of his/her choosing and at his/her own expense. The necessary forms/materials will be provided to the employee for submission to the medical practitioner.
 - d. Unless the System Office or Technical College provides additional information, the physician will assume that there are no atypical or particular job duty demands or other factors affecting job performance.
 - e. Upon completion of the review and/or physical examination, the physician will return the completed medical package to the identified human resources representative and include a determination on the Medical Examination Report to Employing Agency Form (MS 10-57, 4.6.1p.a4).
2. Positions in Job Category 5
 - a. Candidates for positions assigned to Category 5 must complete the General Information Form (MS 10-51-03, 4.6.1p.a7) and the Medical History Report Form (MS 10-52, 4.6.1p.a2). Candidates should only be provided with this form after a contingent offer of employment has been made.
 - b. The Technical College Office of Human Resources will provide the prospective employee with all necessary forms and materials to submit to the medical practitioner conducting the physical examination. Included will be a copy of the completed General Information Form (MS 10-51-03, 4.6.1p.a7), any additional tests requested identified on the Medical Findings Form (MS 10-56, 4.6.1p.a6), a copy of the completed Medical History Report Form (MS 10-52, 4.6.1p.a2), a copy of the Specialized Medical Guidelines for Category 5 Positions (4.6.1p.a5), as well as a Memorandum to Examining Physicians (MS 10-55, 4.6.1p.a3).
 - c. Upon completion of the examination, the physician will return the completed medical package to the identified human resources representative and include a determination on the Medical Examination Report to Employing Agency Form (MS 10-57, 4.6.1p.a4).

D. Additional Examination/Screening Requirements

1. As provided in the TCSG Procedure governing Background Investigations (4.1.9p.),

- the recommended candidate for a full-time, P.O.S.T. certified law enforcement position serving in a Technical College's police department shall be required to complete a psychological screening and a test for deception as a condition of employment. These activities are to be requested following the candidate's acceptance of a contingent offer of employment. The choice of provider and the associated costs are the responsibility of the employing technical college.
2. Other than as noted in the paragraph above, no prospective employee may be directed to undergo a psychological screening unless approval is first obtained from the TCSG General Counsel and Executive Director of Human Resources. Any recommendation that a prospective employee undergoes a psychological screening as a condition of employment must be based on the essential functions of the position in conjunction with the results of all MAPEP initiated assessments/examinations. In addition,
 3. Neither MAPEP guidelines nor the provisions of this procedure prevent a Technical College from requesting a further medical assessment when the assessment is for accreditation purposes.

E. Choice of Medical Practitioner

1. A prospective employee required to undergo a physical examination may either report to a medical practitioner designated by the System Office or Technical College or a qualified medical practitioner of his/her choosing.
2. There is no cost to a prospective employee for a required physical examination conducted by a medical practitioner designated by the System Office or a Technical College; however, the prospective employee shall be responsible for the cost of a required physical examination conducted by a qualified medical practitioner not designated by the System.

F. Review and Decision

1. The physical demands of the job and the working conditions under which work is performed shall be compared with the health status of the prospective employee. A determination shall be made regarding the prospective employee's physical capability to perform the essential functions of the job/position.
2. If a medical practitioner (in response to a review of assessment documentation, the results of a physical examination, and/or the findings of additional laboratory testing or examinations) identifies a condition that would hinder a prospective employee from fulfilling the prescribed duties of the job, reasonable accommodation(s) shall be considered pursuant to the provisions of the TCSG procedure governing Reasonable Accommodations in Employment (4.6.2p.).
3. A prospective employee who does not meet a job's medical, psychological, or physical standards, with or without reasonable accommodation(s), may not be employed in that job.

G. Appeal

1. A prospective employee may initiate an appeal contesting any requirement of the Medical and Physical Examination program.
2. Any such appeal must be submitted to the TCSG General Counsel, in writing, within ten (10) calendar days of becoming aware of the requirement.
3. Upon receipt of an appeal, the facts and circumstances contained in the appeal will be reviewed, and a written response will be issued by the TCSG General Counsel or his/her designee to the prospective employee within fifteen (15) business days.
4. The TCSG Office of Legal Services' response is the final agency decision in this

- matter.
5. A copy of the appeal, accompanying documentation/materials, and the final decision will be submitted to the Georgia Department of Administrative Services Commissioner as stipulated by applicable State Personnel Board Rules.

H. Other Medical Examinations & Inquiries

1. An employee may be directed to undergo a medical examination (i.e., a physical or psychological examination or a fitness-for-duty assessment) and/or provide additional medical documentation in conjunction with a request for sick leave/family leave; an existing period of leave; a return from a period of paid or unpaid leave or family leave; during a period of employment; or other designated purpose only in the following circumstances:
 - a. A request for a second opinion is associated with a request for family leave. Any such request must follow the guidelines outlined in the TCSG Procedure governing the Family and Medical Leave Act (FMLA)
 - b. A mandatory Employee Assistance Program (EAP) referral is initiated in response to documented concerns regarding an employee's deteriorating job performance, behavior/conduct, or pattern of attendance deficiencies/difficulties. The process to initiate a mandatory referral is outlined in TCSG Procedure 4.9.4p., Employee Assistance Program. **NOTE:** *A mandatory referral may only be made with the prior approval of the TCSG General Counsel or his/her designee.*
 - c. According to the provisions of TCSG Procedure 4.6.2p, Reasonable Accommodations in Employment, additional medical documentation may be requested from an applicant's or employee's treating health care provider/professional when the information is needed to decide whether an applicant or employee has a disability or impairment as defined by the Americans with Disabilities Act (ADA) and this determination cannot be made without this information. Specific guidelines for requesting, managing, and retaining this information are addressed in the referenced procedure.
 - d. Before an employee returns to work after a period of family leave, a TCSG work unit may first require a fitness-for-duty certification from the employee's treating health care provider/professional, provided the employee was first notified of this requirement in the FMLA Designation Notice. The scope of the certification and additional considerations must be made under the TCSG procedure and state and federal regulations governing the Family and Medical Leave Act.
 - e. After an individual has been hired and started work or has returned to work following a period of family leave, a TCSG work unit can make a disability-related inquiry and/or require a medical examination (at the work unit's expense) under the provisions of the ADA provided there has first been a determination that the inquiry/examination is job- related and consistent with business necessity and approval have been sought and received from the TCSG General Counsel or his/her designee. In these instances, the work unit must have a reasonable belief of the need for an inquiry/examination based on objective evidence that:
 1. An employee is unable to perform the essential functions of their job because of a medical condition: or
 2. an employee poses a direct threat to himself/herself or others because of a medical condition. **NOTE:** *after an employee has returned to work after a period of family leave, the FMLA's fitness for duty regulations are no longer applicable; therefore, any subsequently required medical examination, fitness*

for duty assessment, or disability inquiry must follow the guidelines and restrictions imposed by the ADA.

2. If an employee is unable to return to work in response to the findings of a fitness-for-duty certification/assessment or the results of a medical examination or other disability inquiry, the employee may request a leave of absence, with or without pay, in accordance with TCSG Procedures 4.5.1p., Family and Medical Leave Act, 4.5.2p4., Annual, Sick, and Personal Leave, and 4.5.2p5., Authorized and Contingent Leave without Pay.

VII. RECORD RETENTION:

All employment-related documents collected according to this procedure shall be maintained in a manner consistent with the Georgia Archive's Retention Schedule for State Government Paper and Electronic Records, as well as accompanying statutory guidelines and State Personnel Board Rules. In addition, paragraph VI.A.6 provides that all medical information and documentation will be maintained/filed separately from all other personnel records.