



## Basic Employee Relations Course

### Medical Examination

An employee required to take a medical examination to determine the employee's fitness for the federal service, or who obtains chest x-rays or similar medical services administered as part of the health program at the activity, is considered in duty status during the time necessary to obtain the examination or treatment. When an employee is absent because of administratively required vaccinations or immunizations, the absence is considered an excused absence without charge to leave or loss of pay, provided the medical officer administering the vaccinations or immunizations certifies to the necessity for the absence.

**What if a supervisor says to you:** *"Most of the employees in my work section have or will soon reach the age for retirement eligibility. I would like to know if there are any current health problems and the general overall health of all employees in the unit so I can plan for the future of the work unit. May I offer everyone a fitness for duty examination?"*

#### ANSWER:

The answer is no. There must be a legitimate need for the medical or psychiatric evaluation in order to offer an employee an examination under 5 CFR 339.302. Unlike the scenario above, an offer is appropriate in a situation where additional medical documentation is needed to make an informed employment decision. In offering the examination, you must document the specific reason(s) for the offer.

### What is the next step if an employee refuses an offer of a medical examination?

#### ANSWER:

You may proceed to address any employee deficiencies in performance or conduct based on the information you have at the time. The employee may elect to provide medical documentation at a later date, such as when replying to a proposed action. Any medical documentation provided should be considered before a final decision is made.

### What is the next step if an employee refuses to comply with a proper order to submit to a medical examination?

#### ANSWER:

Such a refusal constitutes misconduct, and appropriate disciplinary action should be taken; however, you must be absolutely sure of the authority to order the medical examination. After the appropriate disciplinary action has been taken, order another medical examination.