

Fitness for Duty

1016.1 PURPOSE AND SCOPE

Monitoring members' fitness for duty is essential for the safety and welfare of the members of the Office and the community. The purpose of this policy is to ensure that all members of this office remain fit for duty and able to perform their job functions.

1016.2 POLICY

The St. Mary's County Sheriff's Office strives to provide a safe and productive work environment and ensure that all members of this office can safely and effectively perform the essential functions of their jobs. Under limited circumstances, the Office may require a professional evaluation of a member's physical and/or mental capabilities to determine his/her ability to perform essential functions.

1016.3 MEMBER RESPONSIBILITIES

It is the responsibility of each member of this office to maintain physical stamina and psychological stability sufficient to safely and effectively perform the essential duties of his/her position.

During working hours, all members are required to be alert, attentive and capable of performing their assigned responsibilities.

Any member who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that a member believes that another office member is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1016.4 SUPERVISOR RESPONSIBILITIES

All supervisors should be alert to any indication that a member may be unable to safely perform his/her duties due to an underlying physical or psychological impairment or condition.

Such indications may include:

- (a) An abrupt and negative change in the member's normal behavior.
- (b) A pattern of irrational conduct, hostility or oppositional behavior.
- (c) Personal expressions of instability.
- (d) Inappropriate use of alcohol or other substances, including prescribed medication.
- (e) A pattern of questionable judgment, impulsive behavior or the inability to manage emotions.
- (f) Any other factor or combination of factors causing a supervisor to believe the member may be suffering from an impairment or condition requiring intervention.

Supervisors shall maintain the confidentiality of any information consistent with this policy.

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1016.4.1 REPORTING

A supervisor observing a member, or receiving a report of a member who is perceived to be unable to safely or effectively perform his/her duties shall promptly document all objective information and/or observations.

The supervisor should attempt to meet with the member to inquire about the conduct or behavior giving rise to the concerns.

If a meeting does not resolve the supervisor's concerns or does not take place, the supervisor shall promptly document his/her observations and actions in a written report and inform the Sheriff through the chain of command.

1016.4.2 DUTY STATUS

In conjunction with the Shift Supervisor or the member's Division Commander, the supervisor should make a preliminary determination regarding the member's duty status.

If a determination is made that the member can safely and effectively perform the essential functions of his/her job, the member should be returned to duty and arrangements for appropriate follow-up made.

If a preliminary determination is made that the member's conduct or behavior represents an inability to safely and effectively perform the essential functions of his/her job, the Shift Supervisor or the member's Division Commander should immediately relieve the member of duty pending further evaluation.

Employees relieved of duty shall comply with the administrative leave provisions of the Personnel Complaints Policy.

The Sheriff shall be promptly notified in the event that any member is relieved of duty.

1016.5 FITNESS-FOR-DUTY EVALUATIONS

A fitness-for-duty evaluation may be ordered whenever circumstances reasonably indicate that a member is unfit for duty or following an officer-involved shooting or death-in-custody incident.

1016.5.1 PROCESS

The Sheriff, in cooperation with the Human Resources Department, may order the member to undergo a fitness-for-duty evaluation.

The examining practitioner will provide the Office with a report indicating whether the member is fit for duty. If the member is not fit for duty, the practitioner will include the existing restrictions or conditions in the report.

In order to facilitate the evaluation of any member, the Office will provide all appropriate documents and available information.

All reports and evaluations submitted by the examining practitioner shall be part of the member's confidential medical file.

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Any member ordered to undergo a fitness-for-duty evaluation shall comply with the terms of the order and cooperate fully with the examining practitioner. Any failure to comply with such an order and any failure to cooperate with the practitioner may be deemed insubordination and shall subject the member to discipline, up to and including termination.

Determinations regarding duty status of members who are found to be unfit for duty or fit for duty with limitations will be made in cooperation with the Human Resources Department.

For procedures related to Process, see the St. Mary's County Sheriff's Office LE Procedures Manual: [Authorization for Release of Health Information](#)

1016.5.2 EVALUATION REQUIRED

A deputy involved in any incident where a person was seriously injured or killed as a result of a shooting or accident and any deputy returning from combat deployment shall undergo a psychological consultation consistent with the standards developed by the Maryland Police Training and Standards Commission (MPTSC) (Md. Code PS § 3-207).

1016.6 LIMITATION ON HOURS WORKED

Absent emergency operations, members should not work more than:

- 16 hours in a one-day (24 hour) period.
- 30 hours in any two-day (48 hours) period.
- 84 hours in any seven-day (168 hours) period.

Except in unusual circumstances, members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve any member who has exceeded the above guidelines to off-duty status.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime, and any other work assignments to include voluntary secondary off-duty assignments.

1016.7 APPEALS

Employees disputing the application or interpretation of this policy may submit a grievance as provided in the Grievances Policy.

1016.8 MPCTC CERTIFICATION

Deputies are required to submit to a physical agility assessment every year and a mental health assessment every two years in order to maintain their certification (Md. Code PS § 3-209).

1016.9 PHYSICAL AGILITY ASSESSMENTS

Deputies are required to submit to a physical agility assessment for initial certification, and as a condition of certification, submit to an annual physical agility assessment to maintain their certification (Md. Code PS 3-209).

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Studies have shown that a deputy who appears fit and confident is less likely to be challenged by a potentially violent offender. Deputies should strive to present a professional appearance in and out of uniform, and that includes maintaining a healthy fitness level. This profession places deputies in harm's way and there is a realistic need to be prepared to face those challenges. Deputies are encouraged to have pride in their overall appearance and to live up to the expectations of those we are committed to serve as well as those we serve beside.

The hope is that deputies will develop healthy habits that will not only serve them well during their service here but will carry on into retirement and endeavors outside the Sheriff's Office. Satisfactory general health and physical fitness may also positively affect mental health and aid in reducing stress and anxiety associated with our profession.

The SMCSO has partnered with the College of Southern Maryland to provide access to physical fitness equipment at no expense to the deputy.

1016.9.1 PHYSICAL AGILITY ASSESSMENT

The Maryland Police Training and Standards Commission determined the physical agility assessment must be directly related to job functions and tasks routinely performed by deputies. The Commission conducted a job task analysis to identify these specific functions and determine the evaluation components of the physical agility assessment.

The following evaluation components were identified and will be required by the deputy to successfully complete:

- (a) The deputy will climb over a barrier.
- (b) The deputy will pull/drag an individual at least 15 feet.
- (c) The deputy will demonstrate the ability to run for a distance of at least 300 feet.
- (d) The deputy will demonstrate the ability to traverse up and down at least two (2) flights of stairs.

1016.9.2 PHYSICAL AGILITY ASSESSMENT DOCUMENTATION

The physical agility assessment will be administered by the Training Coordinator, or designee, on an annual basis to sworn deputies of all ranks.

Results will be documented on the Physical Agility Assessment form (SMCSO, Form #351A), and retained by the Training Coordinator.

[See attachment: Physical agility documentation.pdf](#)

1016.9.3 FAILURE TO COMPLETE OR PARTICIPATE

If a deputy fails to complete any portion of the physical agility assessment, the deputy's Division Commander will be immediately notified, and the deputy will be placed on administrative duties pending disposition or successful completion of the assessment.

Any deputy refusing to participate in the physical agility assessment will be placed on administrative duties, pending disposition.

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Arrangements will be made to accommodate deputies who are on or expected to be on light duty or extended leave.

By October 1st of each year, the Training Coordinator will submit a report to the Special Operations Division Commander with the overall completion status of the assessments, highlighting any outstanding deputies who have NOT completed the assessment.

The Sheriff, or designee will report the completion of the physical agility assessment to MPCTC in accordance with certification requirements.

1016.10 MENTAL HEALTH ASSESSMENT

Deputies shall, as a condition of certification, submit to a mental health assessment every two years. (Md. Code PS 3-209 e.) Deputies routinely respond to and are involved in stressful situations that create cumulative, stress and repeated exposure to trauma can have a negative impact on both their physical and mental health.

Research shows that some may not be aware of how their work impacts their mental health and may be experiencing mental health problems. Historically, there has been a stigma attached to seeking help within the profession. Through mandated biennial mental health assessments, the hope is to identify those who may be experiencing mental health problems and provide them tools to cope with everyday stressors and traumas.

1016.10.1 BIENNIAL MENTAL HEALTH ASSESSMENTS

The St. Mary's County Sheriff's Office will contract mental health professionals to conduct the biennial mental health assessments. The agency Mental Health Liaison and the Training Coordinator will coordinate appointments. The mental health professional will send a memo of completion to the agency Mental Health Liaison. The memo will only address the deputy's name and date of completion. In accordance with HIPPA no further information will be shared. If there is a fitness for duty issue identified by the mental health professional, they will contact the agency's Mental Health Liaison and the Office of Professional Responsibilities.

1016.10.2 FAILURE TO COMPLETE OR PARTICIPATE

Any deputy refusing to participate in the mental health assessment will be placed on administrative duties, pending disposition.

By October 1st of each biennial year, the Training Coordinator will submit a report to the Special Operations Division Commander with the overall completion status of the assessments, highlighting any outstanding deputies who have NOT completed the assessment.

The Sheriff, or designee will report the completion of the mental health assessment to MPCTC in accordance with certification requirements.

Attachments

Physical agility documentation.pdf

St. Mary's County Sheriff's Office
Physical Agility Assessment

Officer/ID #	MPTC#	Climb Over Barrier	15' Dummy Drag	300' Run	Two (2) Flights of Stairs	Officer's Initials

Date:_____

Location:_____

Supervisor:_____

P – Pass F - Fail

Notes: _____

