

Fitness for Duty Program

1. Policy Statement

- 1) Staging Solutions is committed to providing a safe workplace. In order to maintain a safe work environment, employees must be able to perform their job duties in a safe, secure, productive, and effective manner, and remain able to do so throughout the entire time they are working. Employees who are not fit for duty may present a safety hazard to themselves, to other employees, to Staging Solutions, or to the public.

2. Scope

- 1) This policy applies to all Staging Solutions staff and contractors.

3. Purpose

- 1) The purpose of this policy is to establish procedures by which Staging Solutions will evaluate an employee's fitness for duty when an employee is:
 - i) Having observable difficulty performing work duties in a manner that is safe for the employee, for the employee's coworkers, for Staging Solutions, or for the public, as determined by the supervisor; or
 - ii) Posing an imminent and serious safety threat to self or others.

4. Definitions

- 1) Fit for duty means able to perform the duties of the job in a safe, secure, productive, and effective manner.
- 2) Health service provider is a doctor of medicine or osteopathy, dentist, podiatrist, clinical psychologist, optometrist, nurse practitioner, nurse-midwife, or a licensed clinical social worker that is authorized to practice in the state of Texas or in the state the person resides for persons who reside outside the state of Texas.
- 3) Supervisor means for staff, the person to whom they report., for contractors, their SSI supervisor.

5. Employee Responsibilities

- 1) Employees are responsible for managing their health in a manner that allows them to safely perform their job responsibilities.
- 2) Employees must come to work fit for duty and must perform their job responsibilities in a safe, secure, productive, and effective manner during the entire time they are working.
- 3) Employees are responsible for notifying their supervisors when they are not fit for duty.
- 4) Employees are responsible for notifying the supervisor when they observe a coworker acting in a manner that indicates the coworker may be unfit for duty. If the supervisor's behavior is the focus of concern, an employee may inform the upper-level manager or the HR Department.

6. Employer Responsibilities

- 1) Supervisors are responsible for observing the attendance, performance, and behavior of the employees they supervise.
- 2) Supervisors/managers are responsible for following this policy's procedures when presented with circumstances or knowledge that indicate that an employee may be unfit for duty.

3) Confidentiality

- i) Any document containing medical information about an employee is considered a medical record and is regarded as confidential.

7. Procedures

- 1) The supervisor who receives reliable information that an employee may be unfit for duty, or through personal observation believes an employee to be unfit for duty, will validate and document the information or observations as soon as is practicable. Actions that may trigger the need to evaluate an employee's fitness for duty include, but are not limited to, problems with dexterity, coordination, concentration, memory, alertness, vision, speech, inappropriate interactions with coworkers or supervisors, inappropriate reactions to criticism, or suicidal or threatening statements.
- 2) The supervisor will present the information or observations to the employee at the earliest possible time in order to validate them, and will allow the employee to explain his or her actions, or to correct any mistakes of fact contained in the description of those actions. The supervisor will then determine whether the employee should leave the workplace immediately for safety reasons.
- 3) In situations where there is a basis to think that a crime may have been committed and/or the employee is making threats to harm himself or herself or others or is acting in a manner that is immediately dangerous to himself or herself or others, the supervisor shall contact the police department or emergency services. The HR department should be consulted regarding the fitness for duty procedure after the immediate safety issue has been addressed.
- 4) In all other circumstances the supervisor shall take appropriate action, including contacting the HR Dept during the 8:00 a.m. to 5:00 p.m. workday, as soon as possible after he or she receives reports and validates or personally observes an employee's unfit behavior. For situations arising outside the 8:00 a.m. to 5:00 p.m. workday, the supervisor/manager will determine whether the employee should leave the workplace immediately for safety reasons. HR Dept should then be contacted at the beginning of the next business day.
- 5) Based on the descriptions provided by the supervisor, the HR Dept will determine whether a fitness for duty evaluation is required and, if so, the type of evaluation needed and the type of health service provider to make the evaluation. the HR Dept will then provide a form to the supervisor containing that information, and the supervisor will convey the form to the employee. Human Resources (HR) Leave Management may also be consulted to aid in determining the type of leave to be used pending a complete assessment of the situation.
- 6) The HR Dept will provide a form for the designated health service provider for completion to certify whether the employee is fit to return to work. The health service provider form will include a behavioral description of the circumstances leading to the request for evaluation, and a list of the employee's relevant duties. the HR Dept may facilitate communication with the health service provider as necessary.
- 7) In most cases, the employee will be responsible for the cost of the fitness for duty evaluation not covered by the employee's health plan.
- 8) Based on information provided by the health service provider, the HR Dept will advise the supervisor whether the employee should return to work and, if so, the conditions of return, including whether the employee must attend a reentry conference with the supervisor and the HR Dept, and whether additional follow-up meetings are necessary. The final decision on whether a provider's certification will be accepted lies with the employee's departmental management. A second independent health service provider certification may be requested in some cases. The employer will be responsible for the cost of the second independent provider's certification.
- 9) The employee must comply with all aspects of the fitness for duty and evaluation procedures, including furnishing necessary consent and release forms to the health service provider. Noncompliance may be grounds for disciplinary action up to and

- including termination. Information will be requested from the health service provider regarding work restrictions that may be required upon the employee's return to work.
- 10) Application of this policy is not intended as a substitute for other Staging Solutions policies or procedures related to performance; nor is it intended as a substitute for discipline. Situations involving violations of Staging Solutions policies or practices may result in disciplinary action being taken.

Objective

To ensure that short service employees are identified, appropriately supervised, trained, and managed to prevent incidents such as personal injury, injury to others, environmental or property damages.

SSE Definition

A short service employee (SSE) is any Staging Solutions Inc. (SSI) employee or subcontractor personnel working at any SSI jobsite with:

- Less than six (6) months experience in the same type of work,
- OR**
- Less than six (6) months employment with their current employer.

SSE Identification

SSE personnel are required to wear a badge designating them as a SSE.

SSE Training and Monitoring

- Contractors that utilize SSE employees on SSI jobsites should provide an experienced, knowledgeable worker to serve as a Mentor for the SSE(s). The Mentor should be responsible for coaching the SSE(s) in safety knowledge and skills. Each Mentor should be responsible for a single crew containing SSE employees and should remain onsite while SSE employees are present.
- SSE employees should be monitored closely for safety awareness and performance for a period of at least six (6) months.
- If, at the end of the six (6) month period, the SSE has demonstrated the ability to adhere to SSI safety policies, the SSE identifier can be removed.
- SSI can require any employee who fails to meet safety expectations to continue to be considered a SSE after the initial six (6) month period. Workers whose performance does not improve to an acceptable level may be removed from SSI jobsites.

Crew Make-up

Crew Size	Number of SSEs
1	0
2-4	1
5 or more	No more than 20%

The number of SSEs on a crew is limited, as shown below:

Crews with more than 20% SSE personnel shall be permitted only with approval from SSI site management.