

**Resolution 2017-06
Muncie Sanitary District
Board of Sanitary Commissioners**

A Resolution providing certain amendments to the Personnel Policies Handbook of the Muncie Sanitary District first adopted on December 10, 2015 concerning Section 4.14, Workers' Compensation.

WHEREAS, the Board of Sanitary Commissioners (the "Board") wishes to modify Section 4.14 of the Personnel Policies Handbook which deals with the Muncie Sanitary District's Workers' Compensation that were previously enacted on December 10, 2015.

BE IT THEREFORE RESOLVED, that the Board of Sanitary Commissioners does hereby adopt the following amendments to the Personnel Policies Handbook:

The Board wishes to add the following to Section 4.14, Workers' Compensation:

Current employees returning to work after an absence due to an injury or illness may be required to undergo a fitness for duty test as a condition of returning to work. Additionally, MSD may require an employee to undergo a fitness for duty test if it has genuine, legitimate reasons to doubt the employee's capacity to perform his/her job duties or the employee will pose a direct threat due to a medical condition. Any fitness for duty test required pursuant to this policy must be job-related and consistent with business necessity and be narrowly tailored to determine whether the employee is able to perform his/her job with or without a reasonable accommodation. Under no circumstance shall the fitness for duty test be used as a way to assess whether the employee has a disability or what the severity of the medical condition may be but may be utilized to obtain disability-related information designed to help assess whether the employee can safely and properly perform his or her job responsibilities.

MSD reserves the exclusive right to choose the provider to conduct the fitness for duty test.

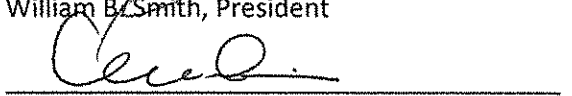
This Resolution shall become effective on and after its passage and shall remain in full force and effect until it is amended or repealed by this Board.

THIS RESOLUTION APPROVED this 12th day of April, 2017, by the Board of Sanitary Commissioners of the Muncie Sanitary District.

**MUNCIE SANITARY DISTRICT
BOARD OF SANITARY COMMISSIONERS**



William B. Smith, President



Michael R. Cline, Vice-President



Joseph Evans, Secretary