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## FALL RIVER RURAL ELECTRIC COOPERATIVE, INC.

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### GENERAL POLICY No. 606 SUBJECT: PHYSICAL EXAMINATIONS

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#### I. **PURPOSE:**

The work of the Cooperative is such that it is imperative that all employees be in reasonably good physical condition. Consequently, for the protection of the interests of the Cooperative, it is desirable to maintain a program of physical examination.

#### II. **POLICY:**

It shall be the policy of the Cooperative to require physical examinations of Cooperative employees, as necessary, to affirm that the individual is able to do the essential job duties identified in their job description. Physical examinations will be required for applicants to whom a conditional offer of employment has been extended and for current employees whenever management determines that it is necessary for the safe operation of the Cooperative, or is job-related as consistent with business necessity. The requirements of all physical examinations will comply with state and federal regulations.

#### III. **RESPONSIBILITY:**

- A. The CEO/General Manager and/or their designee shall be responsible for the administration of this policy.

#### IV. **PROVISIONS:**

The following provisions and procedures shall apply to this policy:

- A. After an offer of employment has been extended to a potential employee for a position that management has determined requires a physical examination, that individual shall be required to have a physical examination at the Cooperative expense as a condition of employment.

The Cooperative will not use the medical information to discriminate against qualified individuals with disabilities.

1. Conditional employment physical exams shall be paid for or reimbursed by the Cooperative.
2. Examining physician will be selected or pre-approved by the Cooperative.
3. CDL drivers may present a current medical card in lieu of a physical examination.

B. Employees may be required to have a physical examination on other occasions when the examination is job-related and consistent with business necessity. For example, when an employee is exposed to toxic or unhealthful conditions, or has a questionable ability to perform essential job functions due to a medical condition. The Cooperative will not use the medical information to discriminate against qualified individuals with disabilities.

1. Management requested physicals shall be paid for or reimbursed by the Cooperative.
2. Examining physician will be selected or pre-approved by the Cooperative.

C. Employees returning to work after an illness or injury resulting in a short or long-term disability claim, a worker compensation claim, or after designation of Family Medical Leave for their own serious medical condition are required to have a physical examination to obtain a medical release from their physician. The medical release information will be job related and consistent with business necessity. The Cooperative will not use the information to discriminate against qualified individuals with disabilities.

1. The medical release must be presented before returning to work and state any applicable restrictions, expected recovery time, and/or reassessment period schedule.
  2. The cost for a medical release exam is generally covered by an individual's insurance or workers compensation (if applicable) and is not paid for by the Cooperative.
  3. The Cooperative may at its own expense request a second opinion from a Cooperative selected or approved physician.
- D. An employee that is required to have a Commercial Driver License (CDL) as part of their essential job duties will be subject to a physical exam as required by State and Federal regulations.
1. CDL physical exams shall be paid for or reimbursed by the Cooperative for applicable employees.
  2. Examining physician will be selected or pre-approved by the Cooperative.
- E. The Cooperative reserves the right to specify the tests to be included in a required physical examination within the scope of the law.
- F. Reports of all required physical examinations shall be transmitted by the examining physician to the Cooperative before payment is made. Reports should not contain protected health information unless specifically authorized by the employee.
- G. The HR Manager will make arrangements for pre-employment and return-to-work physical examinations.
- H. When, through a physical examination, it has been determined that it is inadvisable or unsafe for an employee to continue in their present work assignment for medical reasons, the appropriate department manager, will work with the HR Manager to provide a recommendation to the CEO/General Manager. The CEO/General Manager shall determine the proper job assignment if there is work available or course of action to be

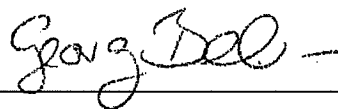
pursued including making adjustments or reasonable accommodations for that individual according to the Americans with Disability Act, (ADA).

- I. All medical information on the physical examination will be confidential, retained in the custody of the Privacy Officer in compliance with HIPAA regulations. Information will not be shared except in the following situations.
  1. Supervisors and managers may be informed of necessary medical restrictions regarding work or duties of their employee and necessary accommodations.
  2. First aid and safety personnel may be informed if an employee has a disability that might require emergency treatment.

**V. PRIMACY OF POLICY**

This policy supersedes any existing policy that may conflict with the provisions of this policy. This policy does not represent a contract between the employer and employee, and the employer herein may change the policies alone and without notice.

APPROVED BY THE BOARD OF DIRECTORS



Georg Behrens, President

DATE APPROVED: July 26, 2010

DATE REVISED: January 22, 2018

DATE REVISED: January 25, 2021

October 24, 2022