



Post Offer/Pre-Placement Program Information and Procedures Packet 2021-2022

The Post Offer/Pre-Placement (POPP) Program provides an objective method to screen applicants for physically demanding positions within the school district. Through the POPP Program, a physical examination is conducted to determine if an applicant's physiological capabilities match the physical demands of the job for which they applied. The following positions (full-time, part-time and substitutes) are subject to the POPP Program:

Bus Driver

Van Driver

Custodian

Maintenance Worker

Grounds Worker

Warehouse Worker

Special Education Day Class Teacher

Special Education Assistant

Food Service Worker

RESIG coordinates the POPP program by negotiating with POPP providers and paying for the POPP physical exams. If a POPP provider requests a Work Capacity Test to determine the fitness of the applicant, this test will also be paid by RESIG. If additional testing is recommended by a POPP provider, such as TB testing, X-rays, an orthopedic evaluation or a medical exam to stabilize a pre-existing condition, the applicant is responsible for these costs, and they are not covered by the POPP Program. In addition, Fitness for Duty physicals DO NOT fall under the POPP program. Fitness for Duty physicals are used to determine if an employee is fit to do the job they are currently working. Please refer to the RESIG website under the Workers' Compensation Department/Employer Forms/Fitness for Duty Guidelines.

Participation in the POPP program is mandatory for all member districts of RESIG, for (full-time, part-time and substitutes) positions listed above. If a district chooses not to comply with the POPP Program, the district will be responsible for a deductible up to **\$20,000** for any injury or illness resulting in any workers' compensation or property and liability claim(s) that is filed for that individual for any reason during the course of their employment with the district if the applicant:

- was found UNFIT for a position
- was found UNFIT AT THIS TIME for a position
- was found DISQUALIFIED for a position
- was screened for one position subject to the POPP Program, but was hired in a different position subject to the POPP Program with higher physical demands
- was allowed to begin working before the results of the POPP physical were received, regardless of the outcome of the POPP physical
- was not screened at all and is hired by the District into a position subject to the POPP Program
- was a current employee placed in a position subject to the POPP Program without completing the POPP process during the course of their employment with the district

Compliance with RESIG's Operational Policy shall be required if any District wishes to appeal the deductible applied to any claim(s).

The POPP process, step by step

1. Prior to advertising any position subject to the POPP Program, modify the job announcement to indicate that a Post Offer/Pre-Placement Physical Examination is required prior to hire. A copy of the Physical Demands job description should be included in the application packet, so applicants are aware of the physical requirements of the job. School and College Legal Services recommends additional language in the application packet that reads: *Under some circumstances, further testing may be required to determine if an applicant is able to perform the essential job duties with or without reasonable accommodation.*
2. The District extends a conditional offer of employment to the applicant, contingent upon the applicant's fitness for the position as determined by a POPP physical exam.
3. The District makes an appointment for the POPP physical exam with an approved medical provider immediately after the applicant has been offered the position. Most POPP physical exams can be scheduled and completed within 3-5 days. For the 2021-22 school year, RESIG has contracted with the following medical providers:
 - Kaiser Permanente
 - Sonoma Valley Hospital Occupational Health
 - Healdsburg Hospital Occupational Health
 - Santa Rosa Sports Medicine

Locations and contact information are in the POPP packet. Only medical providers that have a contract with RESIG can be used for POPP physicals.

4. The District provides the applicant with an Applicant Referral Form and the Physical Demands job description to take to the medical provider for the appointment.
5. The POPP provider will contact the District with the results of the physical, usually via fax. Generally, this will be completed the same day as the physical, however, complications, additional information or tests may delay the results. POPP providers may also hold the results due to a medical records request, and the provider has up to 30 days to make a final determination. RESIG will notify the District of any applicants placed "On Hold" and recommend that they contact the applicant to let them know that the POPP provider's final decision is on hold until the medical records are received. Districts should encourage applicants to call their doctor's office to personally expedite the release of medical records. If medical records are not received within 30 days, the medical provider will indicate UNABLE TO DETERMINE.
6. Consult with legal counsel or RESIG regarding reasonable accommodations and the Interactive Process if a result is returned UNFIT, FIT WITH LIMITATIONS, or UNABLE TO DETERMINE. See also **Interpreting POPP physical results** below.
7. When the district receives the results from the medical provider, the District must fill out the District Follow up Form indicating the results of the physical and hiring status and return the form to RESIG. The District may retain a copy for their files. Follow Up forms must be returned to RESIG **within 30 days** of receipt of results. If the Follow Up form is not received within 30 days, the district may be required to reimburse RESIG the cost of screening.
8. School and College Legal Services recommends that the summary sheets from providers are treated as medical records and are kept separate from regular personnel files.

Changes made during for the 2020-21 school year.

SCOE facilitated the POPP process for Certificated Special Education Teacher substitutes (Special Education Day Class Teacher Level I and II) on behalf of all the SCOE Special Education Consortium districts.

Substitute Special Education Teachers who have worked in the most recent school year for a SCOE Consortium District do not need to undergo another POPP medical exam to work in the following school year.

If you have questions about the SCOE Consortium Substitute program or would like to confirm a POPP status for a potential Substitute Teacher, contact Julie Hunter, Credential Clerk (707-524-2681).

For districts that are doing direct rehire of all POPP positions, timeline has changed from: within 6 months to the most recent school year. Please refer to exceptions for the examples.

Interpreting POPP physical results

FIT WITH LIMITATIONS

The school district must initiate the Interactive Process and carefully determine whether they can accommodate the applicant's limitations. It is critical that all areas of reasonable accommodation are considered. If the accommodation presents an undue hardship or the restriction prevents the person from doing the essential job functions, the school district may withdraw the offer of employment after they have engaged in the Interactive Process with the applicant to discuss possible alternatives. If the school district determines that they *can* accommodate the individual's restrictions, they must provide a detailed letter to the applicant outlining the restrictions and the accommodation plans. (See the sample "Restrictions Letter" in this year's POPP packet.)

Example: An applicant is found to have a lifting restriction of 25 lbs. in a position where occasional lifting to 50 lbs. is required. If the school district can provide assistance for lifting over 25 lbs. or can limit that individual's lifting to no more than 50 lbs., the limitations can be accommodated, and the person can be hired.

Example: An applicant for Bus Driver is found to have a limitation of no repetitive forceful movements with the right arm and shoulder. All the buses have manual transmissions that require repetitive forceful movements with the right arm and shoulder and no automatic transmission buses are available in the district. Purchasing an automatic transmission bus would cause an undue hardship on the district. Due to the applicant's limitations, the person cannot perform the essential job functions of a bus driver and the offer of employment should be withdrawn.

UNFIT/UNFIT AT THIS TIME

An applicant who is found UNFIT has not successfully completed the POPP physical. The POPP provider may or may not include a reason why the applicant was found UNFIT on the summary of results. The district must initiate the Interactive Process to discuss the results or discuss if the applicant's condition is temporary.

Example: If the applicant was found UNFIT AT THIS TIME due to a diabetic condition that was not under control, the district must initiate the Interactive Process to determine whether an accommodation is possible, such as controlling the condition through treatment with private physician and medication within 30 days. After the 30 days, the POPP provider would re-evaluate the individual and make another determination. The school district must consider if accommodations should be made under the ADA or FEHA requirements prior to withdrawal of the offer of employment. If it is determined through the Interactive Process that no accommodation is possible

or the applicant refuses to follow up, the school district should withdraw the offer of employment. **Consult legal counsel for guidance if in doubt.**

UNABLE TO DETERMINE

If an applicant has been found UNABLE TO DETERMINE, additional medical information that was requested from a medical provider was not received within the 30-day time period to make a determination.

Example: The note on the summary states “medical records were not received within 30 days.” Medical records are requested if something unusual was found during the physical or on the questionnaire. The district must initiate the Interactive Process before the withdrawal of the job offer. If the applicant was not notified that the medical records were not received, they may call their doctor’s office to expedite the release of medical records, and the school district can request that the applicant’s file be re-opened.

DISQUALIFIED

Applicants are required to fill out a detailed personal medical history questionnaire prior to the PHYSICAL exam. As part of this questionnaire, they are required to sign a statement saying: *“I understand that any omission or deliberate deletion of information in my medical history will result in my discharge from employment or not being hired. I certify under penalty of perjury that I have provided accurate and complete information.”*

If there is a significant, deliberate omission of information that would impact their ability to perform the functions of the job safely, the applicant will be found DISQUALIFIED.

If an applicant is found DISQUALIFIED and unhappy with the results following the Interactive Process, DO NOT refer the applicant to RESIG. Refer the applicant back to the medical provider for information about the physical.

Exceptions in the POPP Program

- Applicants who have worked in the *most recent school year* as a long-term sub for the district in the same job category for which they are applying for a permanent position are NOT required to be screened because they have already demonstrated the ability to perform the functions of the job. Note: This only applies if the applicant is currently working for the district in which they are seeking a permanent position.
- District employees being re-hired into the **same** POPP position that they worked in the most recent school year, are not required to be screened. If they are being re-hired to work in a **different position** subject to the POPP program, they MUST be screened for the new position (regardless of the amount of time they have been off).
- If a cafeteria worker is **only** required to do a non-physical job such as paperwork or cashiering, a POPP physical is not required. Please see the POPP Food Service job descriptions to determine if any of the job duty requirements are subject to the POPP Program. RESIG recommends cafeteria workers that may be asked to substitute in Food Service Worker positions subject to the POPP program complete the POPP physical when hired to avoid delays when looking for substitutes.

SUBSTITUTES

Employees who work in any position(s) subject to the POPP Program are required to complete a POPP physical exam. Because the job duties are the same, substitute employees have the same potential as regular employees for exposing the school district to a workers’ compensation or liability claim. To eliminate a delay in placing a substitute,

RESIG recommends that potential substitutes complete the POPP process for all POPP positions for which they may be asked to substitute.

Example: A Special Education teacher calls in sick. If another district employee fills in for the Special Education teacher, that employee must be found FIT via a POPP exam before they can substitute in that position.

Example: A Maintenance worker is out due to an injury. A substitute must be found FIT via a POPP exam before they can substitute in that position.

Applicants who have worked in the most recent school year as a long-term sub for the district in the same job category for which they are applying for a permanent position are NOT required to be screened because they have already demonstrated the ability to perform the functions of the job. Note: This only applies if the applicant is currently working for the district in which they are seeking a permanent position.

All of the above examples shown are applicable only to the circumstance described and may not otherwise be appropriate.

Please contact RESIG regarding any questions or issues about the POPP process, we are here to help.

Erin Tarkhanian, POPP Program Administrator (707-836-0779, x111)

- POPP questions
- Questions regarding the physical or the results (DO NOT contact the POPP provider directly to protect the district from obtaining private, confidential medical information about an applicant)
- If there is a delay in receiving the results

Contact Deborah Keeran, RESIG Resource Coordinator (707-836-0779 x109)

- POPP forms
- Document questions

Kelly Cook, RESIG Senior Return to Work Coordinator & Ergonomic Resource Advisor (707-836-0779 x108)

- Reasonable accommodations
- Guidance on the Interactive Process