

Determining fitness to work at safety-sensitive jobs

On occasion, physicians may be asked to determine if an individual is fit for work. When the individual's job is safety sensitive, making that determination can be quite a complex task.

What is a safety-sensitive job?

Safety-sensitive jobs are ones where impaired performance, for whatever reason, could result in a significant incident affecting the health or safety of employees, customers, customers' employees, the public, property, or the environment.

Scenario

- Tom Smith, a 40-year-old crane operator, suffered a head injury in a motor vehicle accident and, as a result, has residual unpredictable migraine-like headaches (photophobia, vomiting, tunnel vision, motor impairment in right dominant arm) and a seizure disorder (grand mal). Each day he takes six to eight Tylenol 3s for his headaches and carbamazepine (Tegretol) for his seizures.

Can Mr Smith return to work? Much of the decision is based on

whether or not his job is considered safety sensitive.

Factors to consider

In some safety-sensitive situations, organizations such as Transport Canada, WorkSafeBC, and the Motor Vehicle Branch have restrictions that remove or limit the amount of physician judgment required in determining fitness to work.

You must consider whether the individual participating in a job or returning to an unmodified job poses a risk of significant harm to self or others.

In the vast majority of situations, you must determine fitness to work or return to work based on reasonable medical judgment, relying on the most current medical knowledge and the best objective evidence of whether the individual's medical condition—including recreational substance use—is a potential or direct threat to self or others. More specifically, you must consider whether the individual participating in a job or returning to an unmodified job poses a risk of significant harm to self or others.

You must have a clear understanding of the essential tasks of the individual's job. In some cases, you may already be aware of the job requirements; in others, you may require a

Olympic reminder

Since WorkSafeBC covers workers but not volunteers, please do not submit F8s for injured volunteers.

job description or job demands analysis from the employer, or a discussion with a WorkSafeBC officer to determine the details of the job. Remember, you must maintain patient confidentiality when speaking directly to an employer or employee representative.

Making the decision

Determining whether an individual poses a risk requires a case-by-case assessment of the individual's present medical condition and how it may affect his or her ability to safely perform essential job functions. You should consider the duration of the risk, nature and severity of the potential harm, likelihood that the potential harm will occur, and imminence of the potential harm.

Keep in mind, as the physician, you are responsible for assessing the medical impairments that result in contraindications to engaging in certain work tasks. If you overstate or understate the level of impairment, and thus the level of disability, you could be held accountable; so, it's important to correctly identify the appropriate level of impairment—to the best of your ability.

Determining Tom Smith's fitness to work

Mr Smith has two medical conditions that require medication. Either of these conditions may cause temporary impairment of function, which poses a significant threat of harm to self—the onset of headache or seizure may cause him to fall while climbing a

Correction—inorganic lead

Due to a type conversion mistake, the *BCMj* introduced an error into the November 2009 WorkSafeBC column "Occupational exposure to inorganic lead" (51[9]:388). In four instances, the abbreviation "mg" was substituted for "µg." Wherever "mg" appears it should read "µg." The correct version is posted at www.bcmj.org/occupational-exposure-inorganic-lead. We apologize to both readers and the author, Dr Ailve McNestry, for this error.

ladder to access the cab; or to others—loss of control over the load being lifted at the time of onset. In addition, there are potential side effects of each drug, on their own or in combination. Mr Smith will also have lost his driver's licence and therefore won't be able to operate a personal or commercial vehicle.

The bottom line is that Mr Smith is not fit for work in this safety-sensitive environment.

While the above example is straightforward, some situations are not. For example, a surgeon with uncontrolled postural hypotension or a bradyarrhythmia leading to syncope may be safe to work in the office, but not in the OR, until the condition is controlled.

For more information or assistance in determining fitness to work in safety sensitive jobs, please contact a medical advisor in the nearest WorkSafeBC office.

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Is the HPV vaccine safe? Is the protection from the HPV vaccine long-lasting? What is the upper age limit for HPV vaccination eligibility? Are newer HPV vaccines imminent? Why immunize as young as Grade 6? What are the side effects? How many girls got vaccinated in my community? Has the HPV vaccination had any impact on new HPV infection rates? Why should we vaccinate girls who are not sexually active? Does HPV vaccination status impact sexual health decision making in immunized girls? After the vaccine, will the patients still need to get PAP tests done? What about immunizing boys?

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