

Presented by: The Manager
Introduced: 01/06/92
Drafted by: B.J.B.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 1551

A RESOLUTION AMENDING THE CITY AND BOROUGH OF JUNEAU PERSONNEL RULES TO REVISE THE RULE ON EXAMINATION TO INCORPORATE THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT ON MEDICAL EXAMINATIONS AND MEDICAL RECORDS.

WHEREAS, the Americans with Disabilities Act of 1990 (ADA) is intended to provide a clear and comprehensive national mandate to end discrimination against persons with disabilities, and

WHEREAS, with respect to employment, the ADA provides that employers may not discriminate against a qualified individual with a disability with regard to all aspects of employment, and

WHEREAS, the staff personnel rules committee has reviewed the City and Borough of Juneau Personnel Rules to determine any modifications necessary to comply with the ADA, and

WHEREAS, the committee recommends that the personnel rule on examinations be amended as set forth in this resolution to include the ADA requirements on the use of medical examinations;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

* Section 1. Amendment of Rule. CBJ Personnel Rule 3 PR 005 is amended to read:

3 PR 005. GENERAL. (a) Except for the provisions on medical examinations and medical records, this Rule applies only to the classified service.

(b) Prior to recruitment each department director shall provide the Personnel Director with a written copy of the methods and materials for the examination of applicants. All examinations must relate to the applicant's job-related knowledge, skills, ability and willingness to discharge the duties and responsibilities of the position. The Personnel Director shall keep a written copy of the methods and materials.

* Section 2. Amendment of Rule. CBJ Personnel Rule 3 PR 015 is amended to read:

3 PR 015. MEDICAL EXAMINATION. A department director requiring medical examinations must establish medical standards related to the duties and responsibilities of the position. Standards may differ based on the duties and responsibilities of each position. Medical examinations must be conducted by a licensed physician approved by the department director. Medical examinations may not be required except as a condition of appointment when a formal job offer has been made. No appointment is effective until the applicant meets the medical standards.

* Section 3. Amendment of Rule. CBJ Personnel Rule 3 PR 035 is amended to read:

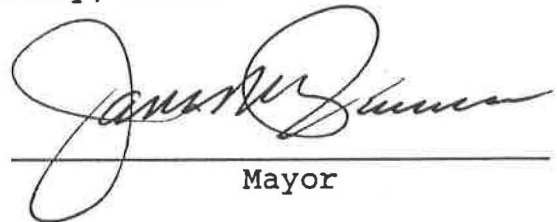
3 PR 035. CONFIDENTIAL INFORMATION. (a) Reports regarding reputation, previous employment, background investigations and similar information obtained as a result of confidential inquiries are confidential and are not available to the applicant.

(b) Medical records are confidential and may not be included within an employee's personnel file. Medical records are available to the employee unless the medical officer who authored the record has prohibited the employee's access to the record.

(c) Examination items which may be used in future examinations may not be made available to any applicant or potential applicant.

* Section 4. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 6th day of January, 1992.



Mayor

Attest:



Clerk