

**PORT AUTHORITY OF GUAM
ATURIDAT I PUETTON GUAHAN**
GOVERNMENT OF GUAM
1026 Cabras Highway
Suite 201
Piti, Guam 96925

Telephone: (671) 477-5931/35
(671) 477-2683/85
Telex: (721) 6689 PAGGUM
Facsimile: (671) 477-2689

POLICY MEMORANDUM NO. 07-88

To: Port Employees	Subject: Procedures for Medical Examinations
Effective Date: September 1, 1988	Revision Date:
Approved By: DAVID B. TYDINGCO, General Manager	
ALL REVISIONS ARE MARKED WITH AN ASTERISK (*)	
<p>I. PURPOSE: To provide guidance to ensure equitable administration of the various types of medical examinations as authorized by Rules 4.71, 4.72, 4.73, 4.74 and 4.75 of the Personnel Rules and Regulations.</p> <p>II. SCOPE: All employees seeking employment or employed with the Authority must meet health and physical condition standards deemed necessary and proper for the performance of the duties of the class of position in which they seek employment or are employed.</p> <p>III. DISCUSSION: Medical examinations shall have as its purpose one or a combination of the following reasons:</p> <ol style="list-style-type: none">1. to ascertain an individual's fitness for employment with the Authority;2. to determine an employee's fitness to safely and efficiently perform the duties of his/her assigned position;3. if a vacancy exists, to assign the employee to duties and responsibilities which are within his/her physical ability to perform;4. to retire the employee from the service of the Authority (final approval for such type of retirement must be made by the Retirement Fund Board of Trustees.);5. to separate the employee due to physical disability, if ineligible for medical disability retirement.	

It must be noted however that the employee's disabling condition, even when a medical opinion of incapacity has been obtained, must not be solely relied upon.

A link between the medical condition and the following must be established:

1. observed deficiencies in work performance or employee behavior; or
2. high probability of hazard when the disabling condition may result in injury to the employee or others because of the kind of work the employee does.

IV. KINDS OF EMPLOYMENT MEDICAL EXAMINATIONS: Medical examinations shall be of three types: pre-entry, periodic and special.

A. Pre-entry medical examinations shall be required of all persons prior to original appointment to a position. An examination taken not later than six months prior to appointment may be accepted. If the General Manager determines that a position must be filled immediately making it impossible to complete the medical examination, he/she may temporarily waive the medical examination, provided that the medical examination is completed at the earliest possible date and in no instance, later than thirty (30) days after appointment.

B. Periodic medical examinations are to be taken every two years on the employee's birthday. This type of examination shall be required of those employees holding positions which have been determined that the nature of work performed is such that a periodic check of ability to meet the health and physical conditions is necessary. A list of positions covered under this category are as follows:

Stevedore
Winch Operator
Equipment Operator
Crane Operator
Welder
Preventive Maintenance Mechanic
Automotive Mechanic
Heavy Equipment Mechanic
Crane Mechanic
Cargo Checker
Electrician
Refrigeration Mechanic

Rigger
Maintenance Worker
Plumber
Painter
Carpenter
Custodian
Marine Equipment Mechanic
Security Officer
*Safety Technician
*Marine Traffic Controller

All positions from entry to supervisory are included.

- C. Special medical examinations shall be utilized to determine whether an employee should be retired from the services of the Authority or be assigned to duties and responsibilities that are within his/her physical ability to perform. This type of examination should be utilized whenever it is necessary to determine the fitness of employees in other occupational categories not listed in Section IV. B. This type of examination may also be utilized whenever it becomes necessary to conduct an examination outside the scheduled period of those employees requiring periodic examinations.

V. RESPONSIBILITIES:

- A. It shall be the responsibility of the Personnel Office to schedule and provide the necessary medical examination forms to employees. It shall be the responsibility of this office to ensure that employees meet medical requirements based on medical reports submitted.
- B. It shall be the responsibility of employees to ensure that medical examination appointments are met. Except for extenuating reasons, periodic medical examinations must be taken within sixty (60) days of the employee's birthday. Failure to comply with this requirement will result in the administration of appropriate action. Additionally, it shall be the responsibility of an employee to inform his/her immediate supervisor of any new medical condition that may affect his/her performance on the job.
- C. It shall be the joint responsibility of supervisors and division heads to request for special examination of an employee.
- D. It shall be the responsibility of the Personnel Office and Safety Office to consult affected division heads and other appropriate agencies in the determination of minimum physical and mental capacities necessary for safe and efficient job performance of the various occupational categories.

VI. SPECIAL PROVISIONS:

- 1. The General Manager may waive established medical standards, (if in the opinion of a qualified physician, the person can perform the duties of the position efficiently and without hazard to himself, herself or others) under the following condition:

Any person who has demonstrated his or her ability to perform the duties of the position involved. As used here, demonstrated ability means satisfactory performance, despite medical impairment, in a position with duties similar to those of the position under consideration.

2. The General Manager may waive (lower) the requirement to ensure that only the minimum physical abilities necessary for safe and efficient job performance are being required to fill the particular job.
3. The General Manager may not require additional or more stringent medical requirements unless the requirements, which are based on a careful job analysis, are in fact based on minimum industry requirements.

VII. APPEALS AGAINST MEDICAL EXAMINATION RESULTS:

A person not recommended for initial appointment for failure to meet health and medical standards may appeal such decision in writing to the Board of Directors not later than fifteen (15) calendar days from the receipt of the notice of rejection. An employee who is not recommended for continued employment in his/her position for which periodic or special medical examinations are given may appeal such decisions through the adverse action procedures. In such cases, the General Manager may appoint a board of physicians to review the case and provide their consensus to the Civil Service Commission as part of the information related to the appeal determination.

Days as used in this policy shall mean calendar days.

Attachment (Report of Medical Examination)