

Fit For Duty Policy

Applicability Contractor Fitness for Duty Policy

BP has a strong commitment to provide a safe work environment for its employees and contractors working on offshore BP managed locations. In order to assist in maintaining a safe working environment it is essential that contract employees and subcontract employees are physically able to perform the duties associated with their assigned tasks.

Contractors and subcontractors, who perform direct labor or other equivalent services on offshore BP managed locations or BP managed shorebases, must have and administer a formal Fitness for Duty Policy. The Fitness for Duty policy for contractors and subcontractors must include a physical agility-testing component. Contractors and subcontractors must provide a Fitness for Duty Certificate to the BP supervisor in charge for each individual upon request.

Contractors and subcontractors are responsible for all costs associated with their Fitness for Duty program.

The failure of a contractor or subcontractor to comply with the provisions of this policy constitutes cause for cancellation of Contract.

Purpose

BP will have criteria to provide reasonable assurance that those persons placed in the offshore work environment be physically fit to safely perform their assigned duties without excessive risk or harm to themselves or others. Criteria will be based on job evaluation of required physical abilities, subsequent testing of those abilities and guidelines for medical aspects of fitness for offshore work, relying on both company experience and other global criteria commonly used to consider medical fitness for the offshore worker.

Effective Date and Definitions

This policy will be effective January 1, 2006 for all direct labor and full service contractors, as defined below, performing like jobs as BP employees.

Examples of Offshore Jobs that are fulfilled by BP and Direct Labor/Full Service Contractors:

- Offshore Installation Manager (OIM) & Offshore Platform Manager (OPM)
- Well Site Leader
- Production Supervisor & Maintenance Supervisor
- Offshore HSSE Advisor
- Lead Technician
- Maintenance Technician
- Operations Technician
- I & E Technician

- Ballast Control Operator
- Barge Supervisor
- Field Administrative Clerk

Existing personnel of direct labor and full service contractors will not be required to meet the testing requirements.

Testing

The requirement intends that all persons designated as “offshore employees” shall be evaluated during their pre-placement/post-offer phase and be approved as fit to work in the offshore environment. Each contractor should develop a program that encompasses pre-placement evaluation for new-hires, transfers and return-to-duty following an absence due to illness or injury.

Guidelines should exist that will apply to those situations where observed employee performance/behavior results in a question of the individual’s fitness to work, i.e. for cause situations. Both a pre-placement medical evaluation (PME) and functional agility testing (FAT) shall occur as part of an overall fitness-for-duty evaluation. .

Agility testing applies to the conduct of a sequence of physical maneuvers or tasks.

For cause situations are where observed employee performance/behavior results in a question of the individual’s fitness to work.

The EEOC provides the following examples of when an employer would have "cause" to conduct a medical examination:

- (a) following a request for a reasonable accommodation when the disability or need for an accommodation is not known or obvious;
- (b) after observing performance problems by an employee with a known medical condition, and the performance problems reasonably can be attributable to the medical condition;
- (c) after observing symptoms indicating that an employee may have a medical condition that will impair his ability to perform essential job functions or will pose a direct threat to himself or others;
- (d) after receiving “reliable information” from a third party that an employee has a medical condition that will impair his ability to perform essential functions or will pose a direct threat to himself or others; and,
- (e) following an employee’s return from leave when the employer has a reasonable belief the employee’s present ability to perform the essential functions of the job will be impaired by a medical condition or that the employee will pose a direct threat due to a medical condition.

Functional agility testing (FAT) applies to agility tests that have been developed to mimic functional requirements of a job.

Rehabilitation plans are physical activity regimens that are designed to optimize a previously identified physical performance deficit.