

**FOP Contract
Article 40
PHYSICAL FITNESS**

SECTION 1: The parties agree that the nature of a Police Officer's job is such that the welfare of fellow Officers, citizens, and the Department can be served best if an adequate level of physical fitness is maintained. Accordingly, all employees must strive to maintain a level of fitness that is at least equal to the standards set forth in this Article. Employees must strive to meet the required standards by their anniversary date each year during the term of their employment.

SECTION 2: Within 30 days prior of an employee's anniversary date, the Department will evaluate an employee's fitness relative to: % of body fat, absolute strength, muscular endurance, aerobic power, and flexibility. All testing methods and measures shall be as recommended by the Institute for Aerobic Fitness in Dallas, Texas. Each employee shall be expected to achieve a score of 60% or above on each fitness element annually.

SECTION 3: All testing shall be at a time and place designated by the Police Chief or his designee. If an employee asks to defer testing due to physical incapacitation said request must be accompanied by a physician's statement, which specifically maintains that participation in the testing is incompatible with the employee's physical status. The statement must also indicate an estimated date whereupon testing may occur. At his discretion, the Police Chief may seek a second medical opinion from the City Physician or his designee. Where testing has been deferred due to medical incapacitation, said testing shall proceed within ten days after medical clearance is received from the employee's personal physician or the City physicians. An employee shall then resume his normal testing cycle as if the deferral had not occurred.

SECTION 4: Employees who fail to achieve the passing standard in one or more of the fitness elements must retake the failed element(s) test(s) within 60 days of the failed test(s). Employees who fail to pass one or more fitness element tests shall have a training regimen recommended to them by the Department and shall be re-tested every 60 days until a successful score is achieved.

SECTION 5: All employees shall undergo an annual physical on their own time and at their own expense prior to their Physical Fitness Test and shall provide a copy to the city within thirty (30) days of the examination.