

FREDERICK POLICE DEPARTMENT GENERAL ORDER

Section 19: Employee Well-Being **Order Number:** 1910
Topic: EMPLOYEE ILLNESSES, INJURIES, & DISABILITIES **Issued by:** Chief of Police
Approved: 12/02/15
Review: Annually in October by the Support Services Division Commander
Supersedes: G.O. 1910 dated 05/01/15

.01 PURPOSE:

To specify procedures for reporting and handling illnesses/injuries/disabilities which occur either on or off duty.

.02 CROSS-REF:

G.O. [1905](#), "Exposure Control Plan"
G.O. [1401](#), "Court Procedures"
G.O. [920](#), "Firearms Equipment Regulations"
CALEA STANDARDS 22.2.2, 22.2.4, 22.3.2
Form HR-006 Initial Illness/Injury Report – revised 4/2015
Form HR-007 Follow-up Illness/Injury Report – revised 4/2015

.03 DISCUSSION:

Reporting work-related injuries as quickly as possible helps ensure employees receive any needed assistance without undue delay. In addition, knowledge of the injuries will permit management personnel to minimize the risks of further injuries to the employee or to others. Although this Order primarily addresses sworn personnel, (non-sworn personnel are governed by the Policies and Procedures for the Employees of the City of Frederick), Section .10, Reporting of Employee Injuries, **does** apply to civilian employees of the Department.

.04 POLICY:

All employee injuries, whether incurred on or off duty, must be reported if any of the conditions listed herein are applicable.

.05 DEFINITIONS:

FULL DUTY STATUS: an officer is medically fit (physically and mentally) to perform all of the duties and job responsibilities of a sworn police officer in the Frederick Police Department.

LIMITED DUTY STATUS: an officer is temporarily unable to perform some of his duties and job responsibilities as a sworn police officer in the Frederick Police Department. This is because of a temporary medical condition/illness/injury that has been diagnosed by a medical professional. The medical condition/illness/injury must present no unreasonable risk to the officer, other employees, or the public during performance of limited duty assignments. Some examples may be a sprain or strain, recovery from minor surgery, etc.

MAXIMUM MEDICAL IMPROVEMENT (MMI): occurs when an ill or injured employee reaches a state where his or her condition cannot be improved any further or when a treatment plateau in a person's healing process is reached. It can mean that the patient has fully recovered from the injury or that the patient's medical condition has stabilized to the point that no major medical change can be expected in the injured workers' condition. At that point, no further healing or improvement is deemed possible and this occurs despite continuing medical treatment or rehabilitative programs the ill or injured worker partakes in.

MODIFIED DUTY: when an employee's job duties are altered, changed or adjusted due to

medical restriction(s) imposed by a doctor in connection to an illness or injury that requires the employee to be placed in limited or restricted duty.

RESTRICTED DUTY STATUS: an officer is temporarily unable to perform all or most of his duties and job responsibilities as a sworn police officer in the Frederick Police Department. This is as a result of a temporary medical condition/illness/injury, which has been diagnosed by a medical professional, and which may also present an unreasonable risk to the officer, other employees, and the public, should the officer be allowed to perform in a Full or Limited Duty capacity. Examples may be a casted limb, recovery from major surgery, etc.

SICK LEAVE STATUS: an officer has a medical condition that renders him unable to perform the duties of any assignment without representing an unreasonable risk to the officer, other employees, or the public and is off work on Sick Leave.

TEMPORARY TOTAL DISABILITY (TTD): This is the period of time frequently referred to as the "healing period," when an employee's injury has resulted in a disability that prevents the person from returning to work.

.10 REPORTING OF EMPLOYEE INJURIES:

1. An officer or employee of the Department is required to submit, as soon as practical but no later than 48 hours from the incident, an Illness/Injury/Incident Report (HR-006) in connection with a medical condition/illness/injury:
 - A. That is incurred in the line of duty;
 - B. That causes absence from work for three days or more (in which case a doctor's note will also be required);
 - C. That causes a blackout, seizure, or other lapse of consciousness, whether on or off duty;
 - D. That could impair the ability of the individual to perform properly all of his assigned duties; or,
 - E. That could have resulted from a past on duty contact with an individual whom he reasonably believes may have a communicable disease.
2. Follow Up Illness/Injury/Incident Reports (HR-007) will be submitted no less than every 10 days for the duration of the condition, unless specifically waived by the Chief of Police. A doctor's note describing the condition and any restrictions must be attached initially, and any change in condition or work status must be accompanied by a doctor's note. In addition, if an officer has had medication prescribed, he is required to consult with the medical professional who has prescribed the medication on both of the following points:
 - A. Will the medication cause any physical effects that will impair his ability to function as a police officer? or;
 - B. Will the medication cause any psychological/judgment impairment that will affect his ability to function as a police officer?
3. If the medical professional indicates that either or both could occur, and it is his best judgment that the officer should have some limitations placed on him during the course of medication, the officer will get a note explaining the impairment and will report it on an

Illness/Injury/Incident Report with the note attached.

.13 RESTRICTIONS WHILE ON LIMITED DUTY STATUS:

1. The officer's police powers will **not** be suspended.
2. The officer will **not** wear the police uniform, in part or in whole, for the duration of the Limited Duty. Alternate attire, to include the FPD polo, is acceptable.
3. The officer may be temporarily reassigned to a position that has duties and responsibilities consistent with his medical restrictions. Such temporary duties will not normally exceed one year for a specific incident. However, the Chief of Police has the discretion to extend this restriction for cause.
4. With the exception of shuttling vehicles to and from a repair or maintenance facility, the officer will not operate any marked emergency vehicle while on Limited Duty. Any officer assigned a marked "Take Home" vehicle will leave the vehicle parked at Headquarters and will return the keys to the Fleet Maintenance Coordinator for the period of Limited Duty. The Chief of Police may temporarily reassign the vehicle if he sees fit.
5. The officer will not be permitted to work any security-related secondary employment for the duration of the Limited Duty, whether or not that employment normally requires wearing the uniform.
6. The officer will be required to submit the appropriate Illness/Injury/Incident Reports as outlined in this Order.

.15 RESTRICTIONS WHILE ON RESTRICTED DUTY STATUS:

1. The officer's police powers will be suspended and he will surrender his, MPTC Certification Card, badge, and firearm(s) to the commander of the division for which he works.
 - A. The commander will contact the Department's Firearms Coordinator to make arrangements for the firearm(s) to be store in the vault at Training.
 - B. The commander will retain the officer's badge and MPTC certification card in a secure location for the duration of the restricted duty.
2. The officer is prohibited, during this medical suspension, to take any operational enforcement actions. This does not preclude the officer from taking such action as calling 911, taking notes or police reports, or administering first aid; actions that a civilian might take in the same situation.
3. The officer will not wear the police uniform, in part or in whole, for the duration of the Restricted Duty. Alternate attire, to include the FPD polo, is acceptable.
4. The officer will not operate any "emergency" vehicle, marked or unmarked with the exception of shuttling vehicles to and from a repair or maintenance facility as long as the operation of the vehicle does not violate a doctor's restriction. Any officer assigned an emergency vehicle as a "Take Home" vehicle will leave the vehicle parked at Headquarters and will return the keys to the Fleet Maintenance Coordinator for the period of Restricted Duty. The Chief of Police may temporarily reassign the vehicle if he sees fit.
5. The officer will not be permitted to work any security-related secondary employment for the duration of the Restricted Duty, whether or not that employment normally requires

wearing the uniform.

6. The officer may be subject to a temporary reassignment that has duties and responsibilities consistent with his medical restrictions. Such temporary duties will not normally exceed one year for a specific incident. However, the Chief of Police has the discretion to extend this restriction for cause.
7. The officer will be required to submit the appropriate Illness/Injury/Incident Reports as outlined in this Order.

.16 ASSIGNMENTS WHILE ON LIMITED OR RESTRICTED DUTY STATUS:

1. While on limited or restricted duty, officers will normally remain in their current assignment even though their duties may be modified to accommodate medical restrictions.
2. The officer's supervisor will ensure follow up reports are completed and disseminated as outlined in this order.
3. While on limited or restricted duty, officers may be required to perform duties for other units in the Department as needed. In these instances, the supervisor of that particular Unit will include the officer on their daily time sheet.
4. The employee's supervisor will remain the officer's primary rater for evaluation purposes. Other supervisors the officer may report to while in limited or restricted duty status will forward relevant performance notes to the officer's supervisor for purposes of his annual performance evaluation.

.20 DISABILITY STATUS:

In the event an officer on Limited or Restricted Duty is chronically incapacitated and cannot return to Full Duty upon reaching Maximum Medical Improvement, the status of the officer will change to Disabled.

.21 DISABILITY OPTIONS:

In the event an officer becomes disabled as described in Section .20, the following options are available:

1. Request for transfer to another position within the employment of the Frederick Police Department. Placement is dependent on availability of positions and the ability of the officer to meet the minimum qualifications of the position. Transfer to a position is a reasonable accommodation and can be done non-competitively. Salary would be consistent with the existing City of Frederick pay scale for that position.
2. Request transfer to another position within the employment of the City of Frederick. Placement is dependent on availability of positions and the ability of the officer to meet the minimum qualifications of the position. Transfer to a position is a reasonable accommodation and can be done non-competitively. Salary would be consistent with the existing City of Frederick pay scale for that position.
3. Disability Retirement– in the event that there is no other employment available for the officer, or the officer declines an offered position, he may apply to the City of Frederick for a disability retirement. The officer must complete the required disability application forms and file them with the City's Human Resources Department.
4. The officer will remain in either the Limited or Restricted Duty capacity to which he had been assigned while processing through any one of the above steps.

5. In the event that the officer is not eligible for disability retirement, there is no alternative employment available, and he can no longer perform the duties and responsibilities of a police officer, the officer may be released from employment. The Chief of Police will make this decision after consultation with the department physician and the Commander, Support Services Division.

.25 STATUS DETERMINATIONS:

Whenever a commander or supervisor is notified that a sworn member has incurred an illness/injury/disability that indicates a condition that requires a medical suspension, he will immediately impose the restrictions outlined in .15 of this Order. As soon as is practical, the supervisor or commander who imposed the restrictions will consult with a Deputy Chief of Police, through the chain of command. A Deputy Chief of Police will determine the need for continued medical suspension. He will also direct the Employee's Commander, to issue a Personnel Order in the event a Deputy Chief of Police confirms the medical suspension. Copies of the Personnel Order will be distributed to members of the Command Staff, the affected officer, his immediate supervisor, and the administrative staff, Office of the Chief of Police, (OCP) for inclusion in the officer's personnel file.

The officer's status will be under constant review by the officer's chain of command as reports are filed. When a report indicates that there is a change in the officer's medical condition that may warrant a change in status, the officer's Deputy Chief of Police will make that decision, after conferring with the officer's supervisor and commander. Any change in status will be documented in a Personnel Order, issued by the officer's Commander and copies will be distributed as described above.

.30 PREGNANCIES:

In the event an officer discovers that she is pregnant, the following conditions will apply:

1. As soon as the officer verifies that she is pregnant, she will complete an Illness/Injury/Incident Report. The form must be accompanied by a note from her personal physician that will include the estimated due date, as well as any other information the doctor deems necessary for the Department to have, in order to make decisions about any potential limitations.
2. Upon receipt of the Illness/Injury/Incident Report, the Commander, Support Services Division, will forward a copy of the pregnant officer's job description to the physician for his review, in order to determine a date beyond which the officer will not be able to perform all her duties as a sworn police officer. The Commander, Support Services Division, will then relay that information to the commander of the officer who will make a determination as to the officer's current and future duty status (including the wearing of the uniform) throughout the course of the pregnancy.
3. Additional Illness/Injury/Incident Reports are applicable in this instance, but will only be required in the event there are any changes to the officer's medical condition that may alter her ability to perform in her current assignment. A doctor's note must accompany the form. If, at any time, she becomes unable to perform fully as a police officer, she would then be placed on either Limited Duty or Restricted Duty, based on the doctor's recommendation. Additionally, a pregnant officer who desires to be placed on Limited or Restricted Duty during any stage of the pregnancy will be granted that status. However, the officer's status will always be at least as, if not more, restricted by the Department than required by the physician.
4. In the event the condition of the officer requires that she be relieved of all duties prior to the seventh month of pregnancy, or that she remain off duty longer than six weeks after

delivery, she will submit to her supervisor a doctor's note enumerating the specific reason(s) for the extended leave.

5. Subsequent to delivery and the post delivery examination, the officer will provide her supervisor with a note from the physician indicating the officer's expected return date to Full Duty.
6. The Chief of Police may, if deemed necessary, require the officer to be evaluated by CorpOHS.

.35 USE OF SICK LEAVE:

When an officer is placed on Sick Leave Status, the following conditions will apply:

1. The officer will not wear the police uniform in part or in whole, alternate attire, or any other clothing that displays an affiliation with the Department, while in the public view, for the duration of the sick leave status.
2. The officer will not operate any police vehicle, marked or unmarked, with the exception that an officer assigned a "Take Home" vehicle will be permitted to transport himself home if the Sick Leave is initiated while on duty.
3. If the officer is summonsed/subpoenaed to appear for court, he must contact the appropriate parties in District/Circuit Court and the State's Attorney's Office and request to be excused from appearing. The officer must document the time of the request and the name of the person with whom he spoke. It will ultimately be at the discretion of the court to decide if the absence is permissible or if the officer is still required to appear. In the event the officer is unable to make the notification, he will immediately contact the on-duty supervisor, who will then attempt to make the request. A missed court appearance due to Sick Leave that has not been approved by the court is **not** excusable and may subject the officer to applicable disciplinary action.
4. The officer will be required to submit the appropriate Illness/Injury/Incident Reports as outlined in this Order.
5. An officer using **three days or more** of Sick Leave will submit, along with the required Illness/Injury/Incident Report, a doctor's note confirming the condition, the officer's inability to report to work or to perform all or part of the duties of a sworn police officer for the duration of the condition, and the dates of treatment. The note should also clear the individual for Full Duty if that is the disposition, or outline any restrictions/prognosis that may affect the future assignment of the individual.
6. An officer who is on Sick Leave may not work any secondary employment during the same calendar day on which his tour of duty would have ended, had he worked or completed the tour.
7. Any officer on Sick Leave must remain at home unless he is required to leave for a medical appointment, to pick up medication, or to handle any other bona fide situation pertaining to his medical condition. This restriction applies to the period of the tour of duty that the officer would have worked if not on Sick Leave.

.40 LINE OF DUTY INJURIES:

1. In the event that an officer sustains an injury while on duty, that officer must report it to his first line supervisor. This notification must be as immediate to the discovery of the injury as possible. In the event that exigent circumstances prohibit the reporting, then at the first available moment after the situation has stabilized, the report must be made.

2. The supervisor will cause the officer to complete an Illness/Injury/Incident Report prior to securing from his tour of duty, unless the officer is, due to the injury, incapable of completing the form. In that event, the supervisor will complete, as fully as possible, the initial Illness/Injury/Incident Report for the officer and indicate in the report that he has done so.
3. In the event that the injury or occupational disease can be treated with first aid, or requires no treatment and there is no lost work time, no visit to CorpOHS will be required. If, however, it requires medical treatment to a greater extent than first aid or results in lost work time, the officer will be required to seek treatment and/or evaluation at CorpOHS, or at the emergency room at Frederick Memorial Hospital if CorpOHS is closed. Arrangements will be made for the transportation of the officer if he is unable to transport himself or to make his own arrangements.
4. In the event that the officer wishes to seek medical attention from his own personal physician (at his own expense), he may do so. However, after the personal physician has had the opportunity to examine and treat the officer, the officer must be seen at CorpOHS for evaluation. This examination must occur as immediate to the injury and examination by the private physician as possible, without jeopardizing the health of the injured/ill officer.

.45 ADMINISTRATIVE SICK LEAVE:

If an officer is required to leave work or remain off work due to an “on-duty” illness/injury/disability, the first three full days of missed work is considered “Administrative Leave” and will not be taken from the officer's Sick Leave bank. The officer's supervisor will code it appropriately on the time sheet.

.50 FITNESS FOR DUTY:

The Chief of Police, or his designee, possesses the authority to order an officer or employee to submit to a “fitness for duty” examination, whether a physical or mental evaluation, at any time he deems it necessary and proper. The results of such examinations will be released only to the Chief of Police or his appointed representative(s). A review of the results will be conducted with the examining medical authority so that an informed decision can be made as to the “fitness for duty” of the individual in question.

.55 COST OF EXAMINATIONS:

Any time the Department requires an employee to submit to a physical or psychological examination for initial employment or fitness for duty, the Department will provide the examination at no cost to the employee.

.60 RECORD KEEPING/MAINTENANCE:

1. Immediately upon completion, employees will forward their completed Illness/Injury/Incident report to their supervisor, ensuring the report is complete, all relevant medical documents are attached, the follow-up report due date is entered, if applicable, and the report is signed.
2. The employee's supervisor will conduct an appropriate investigation/inquiry and include his own comments on the report as necessary.
3. The supervisor will then forward completed reports as outlined below:
 - A. On-duty reports (i.e. work related) – the employee's supervisor will scan and email to the following:

- (1) the employee's Chain of Command,
 - (2) the City's Safety Office (i.e. Alysia Portner); and
 - (3) the employee.
- B. The Safety Department will provide the reporting employee with the claim number, and the name and contact information for the insurance adjuster who is assigned the claim. In the event the Safety Department does not provide this information, the employee may call the Safety Department to obtain the information.
- C. Off-duty reports (i.e. non-work related) – the employee's supervisor will scan and email to the following:
 - (1) the employee's Chain of Command:
 - (2) the Commander, Support Services Division; who will ensure the report is placed in the employee's medical file; and
 - (3) the employee.
4. The City Human Resources Department will be responsible for maintaining all Police Department employee medical files and related documentation in accordance with the Records Retention and Disposal Schedule.
5. The City's Safety Department will be responsible for maintaining all employee workers compensation files and related documents in accordance with the Records Retention and Disposal Schedule.