



# ABSENTEEISM SICK / INJURED

*General Order Number: 2.2*

*Effective Date 07/09/2024*

## **POLICY:**

Each member of the Brookline Police Department shall maintain an appropriate level of availability for work during the year. Public safety requires a team effort, and each member is a necessary member of that team. Unless members are available for duty, work cannot go on effectively or efficiently. Excessive absenteeism causes decreases in operational efficiency and unnecessary increases in operating expenses. Members who are excessively unavailable for work (regardless of cause) force others to carry their extra load, and tie up job opportunities and positions for more available personnel. Excessive and established absenteeism patterns shall be handled in a progressive disciplinary manner.

The Department promotes good health and well-being for all officers and encourages them to utilize the workout room and gym equipment provided within the public safety building to sustain and maintain good physical and mental health in general. Individuals who maintain a healthy lifestyle including regularly working out are less susceptible to illness and injury.

The Department encourages and welcomes officers who are injured to return to duty on a light duty status. Every effort will be made to accommodate the officer's medical limitations and treatment/rehabilitation schedule while on this status. Officers on light duty status can still provide a valuable service to the Department.

It shall be the policy of the Brookline Police Department to grant sick leave for members of the Department for personal illness or physical incapacity of such an extent as to be rendered thereby unable to perform the duties of such member's present position.

It shall also be the policy of The Brookline Police Department to grant leave to members of the Department who are injured in the line of duty, and they shall also receive compensation as provided in Mass. Gen. Law Chap 41, Sec. 111F.

## **PROCEDURES:**

1. **SICK LEAVE:** Whenever a member of the Department is unfit for duty by reason of sickness, sickness in family, or reporting back from either, they shall report the same to the Commanding Officer - Platoon on Duty or designee, as soon as possible preceding such tour of duty. Such notice should be given, if possible, not less than two hours before the starting time of the tour of duty.

- A. Should the Commanding Officer - Platoon on Duty or designee not be available, the employee shall make every attempt to notify them.
- B. The Commanding Officer - Platoon on Duty will record the same on the Department computer system and the daily roll call.
- C. The Chief of Police may require a doctor's certificate from an employee who is absent three or more consecutive days or whose pattern of absences of single days reasonably raises a suspicion of an abuse of sick leave. The doctor's certificate shall specifically state the nature of the illness, the time or times of the employee's consultation with the doctor and prognosis for his or her ability to return to work. The Town will reimburse the employee for any medical expenses (such as a co-payment) associated with his or her obtaining the doctor's certificate. If the employee fails to submit the certificate, the Town shall be entitled to refuse payment of sick leave and/or take such other disciplinary action as may be reasonable under the circumstances. At all times the Town of Brookline's and/or the Chief of Police's actions shall be reasonable.

**2. SUPERVISORY REVIEW – SICK LEAVE:** Each supervisor shall consistently monitor the use of sick leave on the part of each officer who is under their direct supervision. This monitoring process shall be as follows:

A. Every month, or more often if necessary, Supervisors are to review the use of sick/sickness in family on the part of each officer who is assigned to them. Discussion are to take place, as necessary, as part of this monthly review.

B. Every four months, during the first week of each month, i.e. May, September, January, each Supervisor is to submit a written report to the next level in their chain of command identifying each officer assigned to them and outlining the officer's use of this type of sick leave. This report is to include officer's actual use of this leave, reasons for using this leave as well as any extenuating circumstances. Included in this report shall be any recommendations concerning the officer. The Supervisor shall keep a record of these reports in order that they be accessible at all times to all Supervisors. In the event that an officer is transferred to another division, the record of these reports would then be turned over to his/her new Supervisor. All written reports are to be forwarded to the respective Deputy Superintendent who is in charge of the division. Included in these reports are recommendations from each level of supervision within the division.

All sick certificates shall be submitted, reviewed and accounted for by the Platoon Lieutenant or the Senior Sergeant on duty if the Lieutenant is not available. These certificates will be forwarded to the Division Deputy Superintendents for their review no later than the first week of every month and then forwarded to the Superintendent for review no later than the second week of each month.

C. Each Deputy Superintendent shall meet with the Chief of Police or Superintendent on three occasions, at a minimum, each year to review the use of sick leave on the part of every police officer and police Department civilian employee. These meetings shall take place during the second week of May, September and January to review the written reports of each officer's supervisor. These discussions may lead to one of the following steps:

1. Letter for perfect attendance for the previous one-year period;
2. Letter for excellent attendance (two days or less) for the previous one-year period;
3. Verbal warning;
4. Written warning;
5. Requirement to submit a Doctor's certificate upon return to work after each reported illness;
6. Requirement to continue submission of doctor's certificate;
7. Letter informing the officer they are no longer required to submit a doctor's certificate.
8. No action.

3. **INJURY LEAVE:** All injuries shall be reported immediately when known via a hard copy to the Chief of Police and/or Superintendent. The original of this report and all related reports shall be submitted to the Chief of Police. This shall include, but is not limited to, arrest reports, accident reports, witness statements including those of officers and supervisors, a doctor's diagnosis and relation to injury and, if possible, a medical treatment form filled out and signed by the treating doctor.

All members are advised to keep a copy of this injury report for their own records.

Medical care for members of the Department who are injured in the line of duty shall be as follows:

- A. Life threatening or severe injury should be handled by activating the EMS system immediately.
- B. All other injuries / incidents are to be reported to the Occupational Health injury line at 617-730-2290 in order to receive immediate referral for medical evaluation and treatment of non-life threatening work related injuries. The Occupational health

Nurse/Case Manager provides referral for medical evaluation and treatment. This call will also serve as the first report of injury.

**C.** Medical treatment and evaluation will be provided by either:

MA General Urgent Care  
1285 Beacon Street, Brookline, MA 02446

Beth Israel Urgent Care  
200 Boylston Street, FL 1, Chestnut Hill, MA 02467.

**D.** The Occupational Health Nurse/Case Manager is to be notified of all incidents and injuries as soon as possible. This will ensure that the employee receives prompt and quality medical care, and that all legal reporting obligations are met.

**E.** All workplace incidents/injuries shall be reported to the injury line immediately. This shall be done by supervisory personnel and noted in their injury report.

**F.** In addition to the telephone report, the following must be completed:

1. An employees report of injury (special report)
2. A Supervisor's incident investigation (special report)
3. A Retirement Board Notice of Injury (form report)

**G.** The Commanding Officer or direct Supervisor of the injured employee should notify the Occupational Health Nurse/Case Manager to facilitate the referral, evaluation, treatment and coordination of medical care.

**H.** The Commanding Officer or direct supervisor of the sick or injured employee is responsible for ensuring that the Department-issued firearm assigned to any officer who is anticipated to be out of work due to illness or injury for a period of more than two weeks is secured properly and accounted for in the Department property logging system.

**4. TREATMENT OF INJURED EMPLOYEES:**

**A.** Employees injured in the line of duty and who cannot perform full duty because of such injury shall, to the extent possible, be assigned by the Chief of Police to perform duties in the Department consistent with their physical condition provided that they are expected to return to full duty within a reasonable time. Although priority must be given to all line of duty injury cases under this section, the Chief of Police may thereafter consider employees injured off the job for assignment on a similar basis as employees injured in the line of duty.

- B. For officers injured in the line of duty, medical determinations relative to an officer's return to full duty from injury leave status shall be made by the Town of Brookline Occupational Health Physician who shall consider the opinion of the officer's treating physician, provided the officer's treating physician renders an opinion for review in a timely fashion. If the Occupational Health Physician and the treating physician disagree, then the two physicians shall agree upon a third physician, who shall be board certified in the specialty most appropriate to the officer's injury, to render an opinion which the parties agree to accept. If the officer's treating physician fails to participate in the selection of a third physician within three (3) weeks of such a request, then the Town of Brookline may proceed on the basis of the Occupational Health Physician's selection of a third physician.
- C. If an employee is placed on sick leave status and subsequently retires on a disability pension on the basis of a heart disability arising out of the circumstances requiring the use of such sick leave, the employee will then be credited with the amount of sick leave used prior to retirement for purposes of the sick leave reimbursement benefit in Section Nine (9) of Article VI of the labor agreement between the Town of Brookline and Brookline Branch, Massachusetts Police Association.

5. **RETURN TO WORK FOLLOWING INJURY / ILLNESS:** The Occupational Health Nurse/Case Manager is authorized to approve a return to work. The Occupational Health Nurse will communicate an approval to the Chief of Police or his or her designee, along with an interpretation of medical restriction if necessary.

- A. Prior to a return to work, medical clearance from the employee's treating physician, provided to the Occupational Health Nurse/Case Manager's review, is required in the following cases:
  - 1. After an absence due to a work related injury or illness.
  - 2. A change in work status: i.e. from full duty to out of work, modified duty to full duty, etc.
  - 3. After a prolonged illness or surgery and recuperation.
  - 4. Chronic illness.

The Occupational Health Nurse/Case Manager will continue to follow the employee's progress upon return to work to ensure a safe transition.

- 6. **GENERAL:** Any employee reporting sick or injured shall not engage in any action/function that would tend to bring discredit to the Department, or lend itself to public questioning of the apparent abuse of sick or injury leave privileges granted members of the Department.
- 7. **MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH - UNPROTECTED EXPOSURE TRIP FORM DPH 3/89:** Any member who believes they have been exposed to a patient's blood or bodily fluids in the course of their duty should submit an

injury report and a Department of Public Health Form 3/89 as outlined by procedures in Brookline Police Department Manual Chapter, **“INFECTIOUS DISEASES.”**

8. **EMPLOYEE ASSISTANCE PROGRAM:** The Town of Brookline provides employees with an EAP through Mass4You. Through this program, employees, their spouses, and dependent children are eligible for confidential counseling, legal consultations, financial resources, telephonic health and wellness coaching, work / life resources, and unlimited access to the Mass4You Website (must have login credentials to access). Mass4You can be reached at 1 (844) 263-1982 and is available 24/7. You can check out their website at [liveandworkwell.com](http://liveandworkwell.com) (access code mass4you).