

## Light Duty

1. **PURPOSE:** To establish procedures for assigning employees to light duty. Temporary light duty assignments may be available to employees who have incurred a duty related illness or injury and, due to restrictions or limitations, are unable to perform their regular assigned duties. Non-duty related illnesses or injuries may also be considered for eligibility in accordance with this policy. Eligibility for light duty is subject to the approval of the Chief of Police or designee.

Light duty assignments are intended to provide an employee with the ability to continue working within the limits of their restrictions on a temporary basis, while providing the department with a productive employee.

2. **SCOPE:** This directive is applicable to all personnel.
3. **DEFINITION:** Light duty means a temporary assignment not requiring performance of the full range of duties associated with the regular job classification.

A light duty assignment will be an assignment with essential job functions that do not include any actions that the employee is restricted from performing. There will be no waivers from essential job functions related to their assignment.

4. **PROCEDURES:**

### A. ON-DUTY INJURIES

1. Employees who sustain a personal injury while on the job must verbally report the circumstances immediately to their supervisor. If the immediate supervisor is not available, the next level supervisor in the employee's chain of command or another appropriate supervisor is notified.
2. The supervisor will make sure that the City's Employee Injury Call Center (**1-844-296-5155**) is notified as soon as practical to report the injury.
3. If the employee requires or requests emergency treatment, they should follow the directions of the Employee Injury Call Center or respond/be transported to Huntsville Hospital if the injury is severe.

4. Serious injuries or injuries that require hospitalization require immediate notification to the Chain of Command.
5. A physician may determine that an employee is able to return to work with physical restrictions. This will make the employee eligible for a Temporary Light Duty assignment. Such restrictions shall be documented on the City of Huntsville's Fitness for Duty Form and signed by the attending physician. The form will be submitted to an appropriate supervisor and sent up the Chain of Command. If the restrictions are anticipated to last one week or less the Division Commander may assign the employee to a light duty assignment within his division at his discretion. Restrictions that are anticipated to last more than one week will be referred to the Deputy Chief for consideration. The Deputy Chief or designee may assign a temporary Light Duty Assignment if needed and one is available.
6. All physical restrictions will be reviewed by the employee's supervisor and the Chain of Command to determine how the employee may best perform duties without risking further injury.
7. Supervisors may need to modify the employee's regular work activities to compensate for the employee's temporary disability. In such cases, the Chief of Police or designee is responsible for shifting a limited employee's work location if modifications for the regular duties are not feasible. The limited worker may be assigned to a different division and time shift in order to accommodate work restrictions. Failure to accept a temporary restricted duty assignment that is within work restrictions, will result in the employee using their own personal leave (sick or annual) until depleted prior to moving to leave without pay status.

#### **B. OFF DUTY INJURIES / LAW ENFORCEMENT RELATED**

1. Any officer who sustains a personal injury while off duty during the performance of law enforcement duties, such as during a lawful arrest, must notify the Duty Supervisor as soon as possible.
2. The Duty Supervisor will document and report the incident in accordance with Section 4.A.2.
3. The remaining procedures for off-duty injuries which are duty-related are the same as those in Section 4.A. of this directive.

#### **C. OFF DUTY INJURY / MEDICAL CONDITION NOT LAW ENFORCEMENT RELATED**

1. Employees are required to report by email to the appropriate supervisor any personal injury, physical condition, or medical condition which may interfere with their continued performance of duty. The email should not include any medically specific information that may violate The Federal HIPPA Act of 1996, rather that a doctor has placed them on light duty due to a diagnosis that is not duty related. The supervisor will notify City of Huntsville Human Resources via email, and forward the information to the Chief of Police, in Blue Team, via their Chain of Command. The report must:
  - a. Advise if the limited employee will need to utilize Sick Leave or Annual Leave.
  - b. State how long the condition will affect the employee's ability to perform the regular duties of their position.
  - c. Be submitted prior to the limited employee's next work shift upon learning of the condition unless the employee is physically incapable of completing the report. In these cases, the employee should contact an appropriate supervisor to arrange for a report to be completed.
  - d. If the condition is a short-term injury/illness, but the employee's absence will leave an essential unit/squad below minimum manpower, the employee's supervisor will require a doctor's note to excuse their absence, unless the injury/illness is related to prior FMLA approval, in accordance with the City of Huntsville Policies and Procedures 10.7.
  - e. Once reported, the employee should be placed on sick leave or annual leave (this does not include pregnancy). Efforts may be made in the case of known short term conditions to accommodate the circumstances with a temporary restricted duty assignment if such assignment is available.
  - f. If the employee cannot perform the duties needed for a temporary assignment, they will be required to utilize their accrued leave. If the injury/temporary disability qualifies, the employee may request FMLA through the City's Human Resources Department. If the employee does not have enough accrued leave, a leave without pay request may be submitted. Donated leave may be requested in accordance with the Voluntary Leave Transfer Program found in the City of Huntsville Policies and Procedures 10.22.
  - g. If the temporary injury/disability goes beyond 30 calendar days, the employee may be required to provide additional medical certification. Continued Light Duty may be authorized by the Chief of Police if the employee's physician has not released them back to full duty status. The employee may be required to use Sick Leave or other Accrued Leave in the event their light Duty assignment is denied.

- h. Any medical restrictions shall be documented on the City of Huntsville's Fitness for Duty Form, signed by the attending physician, and attached to the Blue Team.
- i. Any permanent diagnosis that renders the employee incapable of performing their duties may be referred to the City of Huntsville Human Resources Department for a Fitness for Duty examination.

#### **D. LIGHT DUTY ASSIGNMENTS**

1. All light duty assignments, regardless of the employee's duty status at the time of injury, will comply with the restrictions set forth by the physician.
2. Specific medical restrictions and job tasks in accordance with the primary physician's advice will be required in writing by the appropriate Division Commander.
3. No employee on Light Duty shall wear a class A duty uniform. Civilian attire with or without a service weapon may be ordered as part of the restrictions. Restrictions may also include limits on the use of police powers which would require physical activity (arrests, etc.), since it is understood that emergency situations may arise that require an employee to act.
4. No employee on a light duty assignment may operate a marked COPP vehicle in accordance with WD 401.9(14)(S). An employee may be temporarily assigned an unmarked vehicle provided driving does not violate light duty restrictions.
5. Training may be attended by an employee on light duty, provided it does not require the employee to violate any restrictions put in place by the physician. Any employee attending training while on a light duty assignment must notify the instructors of their restrictions prior to attending training.
6. Employees may not attend duty-related court while on a Light Duty status unless the Chief of Police or designee has approved otherwise.
7. No employee may work any secondary employment while on a light duty status in accordance with WD 302.9(8)(D)(4)
8. If an employee is assigned a light duty assignment, and in the observation of any supervisor the assignment appears to not be in the best interest of the employee, the assignment may be reassessed with possible follow up with a physician.

#### **E. RETURN TO FULL DUTY**

1. Once an employee is released by their physician back to a full duty status, the employee will provide the appropriate supervisor the City of Huntsville's completed Fitness for Duty Form which has been signed by the attending physician.
2. The supervisor will forward the completed form to the Chief of Police via Blue Team.
3. No employee may return to full duty until approved by the Chief of Police.

#### **F. PREGNANCY**

1. If an employee is temporarily unable to perform regular duties due to a pregnancy related impairment that qualifies as a disability, childbirth, or a related medical condition, the employee will be treated the same as any other qualifying temporarily disabled employee (42 USC § 2000 e (k)). A pregnant employee shall not be involuntarily transferred to a temporary modified duty assignment. Nothing in this policy limits a pregnant employee's right to request a temporary modified-duty assignment or reasonable accommodation for the pregnancy related disability, if required.
2. Pregnant employees who may require accommodation should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any job restrictions or limitations. In lieu of notifying their immediate supervisor the employee may also go to the City of Huntsville website and submit the ADA Request form or otherwise notify the City's Human Resources Department. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City of Huntsville's Policies and Procedures regarding family and medical leave and/or the Americans with Disabilities Act
3. In accordance with the PUMP Act and Pregnant Workers Fairness Act, after giving birth and returning to work, a nursing employee will be afforded reasonable break time to express breastmilk for her nursing child for up to one year after the child's birth. A space will be provided, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public.