


LEESBURG POLICE DEPARTMENT REGULATIONS AND GENERAL ORDERS MANUAL		
General Order Number: 410	Section: PERSONNEL	Effective Date: SEPTEMBER 2022
Title: FITNESS FOR DUTY/ DISABILITY POLICY		
Accreditation Standards: PER.03.05		
Review Date: OCTOBER 2023	Total Pages: 3	Chief of Police: 

I. POLICY

A. Duty Status.

The Leesburg Police Department, in an effort to maintain its status as a high quality law enforcement agency, may allow qualifying injured or disabled employees the option of working in a modified or temporary modified duty status. The goal of this policy is to maintain the physical, mental, and financial health of employees of this department who have suffered an injury, illness or temporary incapacity or disability.

B. Duty Status Classifications.

There shall be five Duty Status Classifications:

1. **Full Duty.**

The employee is able to fully perform all duties and meet all responsibilities required of the position to which the employee was appointed.

2. **No-Duty.**

The employee's physician has indicated that the employee is unable to work. Any employee who is out of work for more than 3 consecutive days in a no-duty status (which may invoke FMLA protection) may be required to undergo a fitness for duty evaluation.

3. **Temporary Modified Duty.**

Eligibility for Temporary Modified Duty status shall be determined in accordance with the Town Personnel Procedures Manual, Section 6.3(D). The following additional provisions shall apply:

- a. Employees who are limited/incapacitated as a result of an off-duty injury may opt to use sick leave in lieu of being placed in a Temporary Modified Duty status. Employees who so choose would retain their normal pay and benefits.
- b. The following provisions apply to sworn officers requesting a Temporary Modified Duty status:
 - (1) The officer shall submit a request to be placed on a Temporary Modified Duty status along with a Human Resources Functional Capacities Evaluation Form completed by their physician authorizing temporary modified duty through their chain of command.
 - (2) Approval of Temporary Modified Duty status will be at the discretion of the Chief of Police or designee.
 - (3) Once approved, the officer is relieved of all law enforcement responsibilities, which means that he/she is not required to take police action when normally required to do so, but may do so if deemed appropriate in his/her judgment. The decision to take action must be made by the officer on a "case-by-case" basis after carefully considering the risks of further injury to the officer, the potential injury to the victim of the crime and/or bystanders, and the nature of the event.
 - (4) The officer shall wear appropriate court/business attire in lieu of the uniform while in a Temporary Modified Duty status.
 - (5) The officer shall not operate any town-owned vehicle unless authorized by their Division Commander or the Chief of Police.
 - (6) The officer may be required to undergo a fitness for duty evaluation before returning to Full Duty.

4. **Pregnancy**

Pregnancy will be considered a separate duty status for sworn law enforcement officers.

- a. A female sworn officer upon learning that she is pregnant should immediately notify her supervisor in writing that she is pregnant, and provide in such notice the approximate delivery date of the child. The officer should also indicate whether she is seeking to remain on Full Duty or wishes to go on Temporary Modified Duty.
 - (1) If the officer elects to go to a Temporary Modified Duty status, she will be assigned to various temporary modified duty work assignments as available within the department.
 - (2) If the officer elects to remain in a Full Duty status she must submit a letter from her physician to the Chief of Police indicating that she is fully able to perform her duties as a sworn police officer without harm to herself or the fetus, and specifying the period for which the opinion is valid (which should be no longer than thirty (30) days). If upon review of the medical recommendation, it is acceptable to the Chief of Police, then the officer will be allowed to remain in a Full Duty status. In order to remain on Full Duty, the employee must provide an updated physician's opinion after each follow-up appointment (which should occur every 30 days), such that a valid physician's opinion remains on file for the duration of the pregnancy. The employee must immediately inform her supervisor if her physician determines that remaining in Full Duty status is unsafe for her and/or the fetus. The officer may remain in a Full Duty status until:
 - (a) Her physician determines that remaining in a Full Duty status is unsafe for her and/or the fetus; or
 - (b) The officer requests Temporary Modified Duty status.
- b. A pregnant employee may continue to work for so long as the pregnancy does not adversely impair the employee's work performance and such continuation at work does not conflict with her physician's advice. Pregnancy status may continue throughout the pregnancy or until the officer's physician advises that she is unable to work.
- c. The requirements, restrictions, and regulations applicable to Temporary Modified Duty status under Section 6.3(D) of the Personnel Procedure Manual and Sections I(B)(3) and II of this General Order shall apply to the Temporary Modified Duty of a sworn officer on Pregnancy status, except as follows: (1) the officer shall be eligible for Temporary Modified Duty based on her certification that she is pregnant, and she shall not be required to provide a physician's statement that restricts her to Temporary Modified Duty due to an illness or injury; (2) the duration of the Temporary Modified Duty shall not be limited to 120 days; (3) the officer need not have been employed by the Town for a period of one year prior to the Temporary Modified Duty.
- d. After childbirth, the officer may avail herself of such parental leave as she may be eligible to receive in accordance with Section 6.9 of the Personnel Procedures Manual.

5. Disability.

- a. Employees shall be placed in Disability status in accordance with the Worker's Compensation Law(s) and/or applicable provisions of the Town Personnel Procedures Manual.
- b. Disability Insurance
The Town provides all regular full-time employees with Short and Long Term Disability Insurance at no cost to the employee. The plan is an income replacement benefit which provides financial protection for the employee and his/her family by paying a portion of their income while he/she is disabled. Eligibility and requirements are determined by the Human Resources Department in coordination with the plan providers.

C. Return to Work.

Before an employee returns to Full Duty status from any other status, he/she may be required to successfully complete a psychological evaluation, physical examination and/or range qualification to determine the employee's fitness for duty and ensure that the employee can meet all bona fide occupational qualifications as it pertains to their job description.

II. SCHEDULING AND SUPERVISION FOR TEMPORARY MODIFIED DUTY ASSIGNMENTS

A. Administrative Control

Personnel who are classified either in the Temporary Modified Duty status or Pregnancy status will be under the administrative control of the Commander of the Administration and Support Services Division. The Commander of the Administration and Support Services Division, or designee, will be responsible for coordinating work assignments and ensuring that required personnel actions such as doctor's certifications

are tracked and collected. The Commander of the Administration and Support Services Division, or designee, will also ensure that performance reviews are completed and will decide which supervisors have responsibility for completing the review.

- B. Assignments that can be carried out by personnel in Temporary Modified Duty status or Pregnancy status can and will vary. Assignments will be established to address needs of the department and not the individual.
 - 1. To the extent possible, duty assignments will be scheduled in two week or longer blocks.
 - 2. The following are examples of temporary modified /pregnancy duties:
 - a. Communications
 - b. Clerical assignments
 - c. Case Preparation
 - d. Research
 - e. Telephone Reporting Officer

- C. Unit/Section Commanders who have a need for support of an employee on Temporary Modified/Pregnancy duty will coordinate with the Commander of the Administration and Support Services Division. Information provided should include the type of work, priority and the estimated amount of time needed to complete the task.