




City of Manassas Police Department General Duty Manual



Effective Date: 09-09-2007	GENERAL ORDER	Number: 03-16
Subject: Accident and Injury		
<input type="checkbox"/> New <input type="checkbox"/> Amends <input type="checkbox"/> Rescinds <input checked="" type="checkbox"/> Reviewed 08-19-2019		Reevaluation: <input type="checkbox"/> 1 yr. <input type="checkbox"/> 18 months <input checked="" type="checkbox"/> N/A
Accreditation Standards: 22.1.3/ 22.2.2	By Authority Of:  Douglas W. Keen, Chief of Police	Total Pages: 7

PURPOSE:

To ensure prompt accurate reporting and investigation of accidents, injuries or medical conditions that occur in the workplace or that occur out of the workplace but have an effect on a member's ability to perform his duties.

POLICY:

Members are responsible for the prompt reporting of any on-duty accident, injury or any medical condition, whether occurring on or off duty that may affect the member's performance of duty. Supervisors are responsible for the investigation of facts surrounding work related accidents, injuries and medical conditions that affect assigned duties of subordinates; the submission of required Worker's Compensation reports and Department of Human Resources reports; and providing appropriate recommendations or follow-up procedures to help ensure safety in the workplace.

DISCUSSION:

Management accepts the responsibility of accommodating members who have duty related injuries by assigning them only those duties that are consistent with the recommendations of qualified medical professionals. There is no mandatory obligation to create new positions or job tasks to accommodate limited duty status for non -duty related injuries or medical conditions. Efforts are made in the case of pregnancy or other known short-term medical conditions to accommodate the circumstances with a temporary restricted duty assignment.

The Director of Human Resources is responsible for the administration and processing of injury-related issues, and is assisted by the City's Risk Manager.

PROCEDURE:

I. On-Duty Injuries

- A. Members who sustain a personal injury during their normal tour of duty must orally report the circumstances immediately to their supervisor. In the event that the immediate supervisor is unavailable, the next level supervisor in the member's chain of command, or other appropriate supervisor is notified.
 1. In the event that the injury is of a more serious nature or the member is unconscious, the injured member is transported to a hospital emergency room immediately.
 2. In the event that the injury is of a less serious nature, first aid is rendered immediately, and the injured member is directed to one of the City's authorized treatment centers (see Attachment "B").
 3. In the event that the injury is of a minor nature, first aid is rendered immediately, and the injured member may be directed to one of the City's authorized treatment centers (see Attachment "B").
 4. The member's City authorized physician directs follow-up treatment.
- B. The supervisor investigates and reports the circumstances surrounding the incident in accordance with City Employee Handbook Section 5 (also see General Order 3-20). This investigation should include photographs of injuries when appropriate.
- C. In the event that the member's injury is the result of a motor vehicle accident involving a Department vehicle, the supervisor proceeds under the provisions of Section I and Section VI of this General Order.
- D. The supervisor completes or ensures the collection of the following:
 1. The supervisor's memorandum detailing the facts of the incident.

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2. The injured member's memorandum detailing the facts of the incident.
3. The Supervisor Accident / Illness Report (see Attachment "A"), and issues a copy to the injured member.
4. The Workers' Compensation Employee Panel of Physicians (see Attachment "B"), and issues a copy to the injured member.
 - a. The supervisor issues the City of Manassas Authorized Treatment Facilities form (see Attachment "B") to the injured member.
5. The Workers' Compensation Prescription Card required, (see Attachment "D") and issues a copy to the injured member.
6. The Incident Report - Auto & General Liability form (see Attachment "E"), when applicable.
- E. The completed forms from Section D, above are forwarded to the Commander of Administrative Services no later than the end of the tour of duty, for a review. A copy of the package is added to the member's administrative file.
 1. One copy of the package is also forwarded to the appropriate Division Commander.
- F. The package is then forwarded to the City Risk Manager for a review and processing, within the time constraints prescribed in City Employee Handbook Section 5.
- G. In the event of serious injuries or situations that indicate that the affected member may be unable to perform his duties for any length of time, the supervisor completes a memorandum to the Commander of Administrative Services detailing the circumstances surrounding the incident, and attaches the memorandum to the package of forms noted in Section D, above.
 1. The supervisor may require the affected member to complete a memorandum detailing the circumstances surrounding the incident, and include the memorandum in the package.
 2. In the event that the member's injuries prevent him from completing a memorandum, it may be submitted as soon as the member is physically capable of doing so.
 3. One copy of the package is also forwarded to the appropriate Division Commander.
- H. The Commander of Administrative Services reviews the package and makes recommendations within 10 working days. A copy of the package is placed in the member's administrative file.
- I. Requests for additional information concerning Worker's Compensation issues may be directed to the City's Risk Manager, or:
 1. VA Workers Compensation Commission
1000 DMV Drive
Richmond, Virginia 23220
Telephone: 1-877-664-2566
<http://www.vwc.state.va.us/index.htm>
- J. Disability leave for duty related injuries is governed by Sections 5 and 9 of the City Employee Handbook.

II. Off-Duty Injuries / Law Enforcement Related

- A. Any officer who sustains a personal injury while off-duty during the performance of a law enforcement function, such as during a lawful arrest, must notify the Duty Supervisor as soon as possible.
- B. The Duty Supervisor is responsible for the complete investigation of facts, to the extent possible, and for preparation of the appropriate Worker's Compensation and Department of Human Resources forms as appropriate, and other memorandums and reports, unless the immediate supervisor of the injured officer is immediately available. Officers injured while participating in LAWFIT should contact the LAWFIT Coordinator. Hypertension / heart disease may be considered duty related per the Code of Virginia Section 15.1-134.
- C. The remaining procedures for off-duty injuries that are duty related are the same as those in Section I of this General Order and Section 5 of the City Employee Handbook.

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III. Off-Duty Injury / Medical Condition, Not Duty Related

- A. Members are required to report in writing to the Chief of Police, through the appropriate chain of command any personal injury, physical condition or mental condition that may interfere with their long-run performance of duty, such as but not limited to: broken bones, pregnancy, back injury, stress disorder.
 - 1. The report must:
 - a. Specifically list any condition and effects that it will have on the member being able to perform his assigned duties.
 - b. Advise if the member will need to utilize Sick Leave or Annual Leave.
 - c. Report prescribed medications used for the condition.
 - d. If known, state how long the condition will affect the member's work performance.
 - e. Be submitted prior to the member's next tour of duty upon learning of the condition, unless the officer is physically incapable of completing the report. In these cases, the member must contact his Division Commander, who arranges for a report to be completed.
- B. Any condition requiring the absence or removal from duty of the member for a period of more than three days requires a written doctor's report.
- C. Any member report that indicates that the condition will last over 3 days is forwarded to the City's Risk Manager, who becomes responsible for ensuring proper follow-up, ensuring that doctor's reports are submitted by the member on a regular basis, and the handling of any short / long term disability issues.
- D. Once reported, the member is placed on sick leave, annual leave or FMLA leave as appropriate.
- E. 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.
 - 1. Any temporary restricted duty assignment shall comply with any restrictions / conditions established by the member's attending physician.
 - 2. If the member can not perform the duties needed in the temporary assignment, or goes beyond the limit established by the Director of Human Resources for the assignment, the member must revert to the use of Sick Leave or Annual Leave.
 - 3. Such temporary, restricted duty assignment shall be limited to the duration established by the Chief of Police, who confers with the Director of Human Resources, unless specifically extended.
- F. Maternity leave is granted in accordance with the provisions of the City's Family and Medical Leave Program. See Section 4.6 of the City Employee Handbook.

IV. Infectious Disease / Bloodborne Pathogens Contact (also see General Order 7-23)

- A. The designated Patrol Lieutenant is the Department's Infectious Disease Coordinator. His duties include:
 - 1. Maintenance of the Department's Infectious Diseases Program.
 - 2. Liaison with the Department's professional consultant, the Prince William Hospital Employee Health Department, who provides screening, treatment and follow-up for exposure cases involving infectious diseases and bloodborne pathogens.
 - 3. Schedules screening and other treatment appointments for the affected member.
 - 4. The designated Patrol Lieutenant is available by phone 24 hours per day, and designates an Acting Infectious Disease Coordinator in his absence from duty for leave or other occasions.
 - 5. Notifies the Commander of Administrative Services of all related incidents and follow-up actions.
 - 6. Coordinates activities with the City's Risk Manager.
- B. Rubber gloves, eye protection and other safety equipment is made available to members, and should be used, because law enforcement duties often require contact with persons or body fluids known or suspected of being infectious.

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- C. Members who have been exposed to persons, fluids, or secretions known or suspected to contain infectious disease are processed as duty-related injuries as noted in Section I, D, unless and until the exposure is determined by medical personnel to have not infected or otherwise injured the member. The member should:
 - 1. Notify his supervisor immediately.
 - 2. Wash affected areas as soon as possible with water and diluted bleach or nonoxynol-9, and seek other first aid / medical treatment as required.
 - 3. Complete a memorandum to the designated Patrol Lieutenant through his supervisor as noted in Section I, D of this General Order.
 - 4. Contact the designated Patrol Lieutenant immediately, so that exposure procedures may be initiated.
- D. Members who have been injured, such as but not limited to: puncture by a hypodermic needle or bite by a prisoner, through contact with persons, fluids or secretions should notify their supervisor immediately.
 - 1. These incidents are processed as duty-related injuries as noted in Section I, D.
 - 2. Supervisors should contact designated Patrol Lieutenant immediately, so that screening procedures may be initiated. The designated Patrol Lieutenant:
 - a. Schedules the member for medical screening procedures.
 - b. Provides support and follow-up as necessary.
 - c. Maintains liaison with the Prince William Hospital Employee Health Department during the member's treatment cycle.
 - d. Documents developments in the case, and maintains liaison with the Commander of Administrative Services and the City's Risk Manager.

V. Temporary Restricted Duty

- A. Members who have a duty related compensable injury, but who are not totally disabled, may be placed in a temporary, restricted duty assignment, without loss of pay, to perform duties that fall within the medical restrictions prescribed by appropriate medical authority. Temporary restricted duty status is initiated by the primary treating physician, and is assigned as follows:
 - 1. The Chief of Police or designee, consults with the Director of Human Resources, and authorizes temporary restricted duty status.
 - 2. Once authorized, the Administrative Services Division Commander ensures accountability for supervision of the injured member while so assigned.
 - 3. The Administrative Services Division Commander as necessary clarifies specific medical restrictions and job tasks in accordance with the primary physician's advice in writing.
 - 4. Except when necessary as determined by the Chief of Police or designee, a member on temporary light duty **shall** not be permitted to:
 - a. Wear the Department uniform,
 - b. Openly carry a Department approved weapon,
 - c. Operate any Departmental vehicle while on duty or off duty,
 - d. And/or employ police powers, except in exigent circumstances.
 - 5. Appointments for medical treatment or therapy while on restricted duty may be scheduled during work hours. In these instances, no City Application for Leave form is necessary.
 - 6. The Administrative Services Division Commander ensures continued follow-up on the medical status of the member, with the goal of returning the member to full duty status. Such follow-up may require:
 - a. Additional or updated medical documentation.
 - b. Return to injury or sick leave status.
 - c. Placement in another duty status.
- B. Members are required to notify their supervisor of any change in physical condition or medical status while assigned to temporary restricted duty.

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- C. Any member who has been restricted from working, or who has been released to work in a temporary restricted capacity is required to follow the physician's orders, including but not limited to, taking all prescribed medication and following home exercise programs. Members are prohibited from engaging in activities, on or off duty, that may impair recovery or jeopardize Worker's Compensation benefits, such as:
1. Engaging in strenuous recreational or other physical activities, including LAWFIT without the approval of the primary treating physician.
 2. Any employment or self-employment, including Departmental overtime, which is contrary to medical advice.

VI. Motor Vehicle Accidents

- A. A supervisor shall investigate all motor vehicle accidents in which Department vehicles are directly involved. The supervisor must inquire if the employee consumed any alcohol or used any narcotics prior to the accident. If the supervisor suspects that the employee is under the influence of alcohol then the supervisor must administer a PBT and record the results in addition to meeting the guidelines in the city handbook as listed in section B.
- B. Department members involved in motor vehicle accidents are subject to applicable provisions of the City's Drug Testing Program (see Section 9.5.2 of the City Employee Handbook).
- C. In the event that the investigating supervisor finds that the accident has **no injury or death of any person**, and less than \$1,500 total property damage:
1. The accident is "non-reportable."
 2. An FR-300 report is prepared for internal Department use only.
 3. A report is made to the City's Risk Manager (see Attachment "E").
 4. The affected member completes a memorandum documenting the incident.
 5. The immediate supervisor of the involved officer, or the investigating supervisor, shall review the accident, and:
 - a. Make any recommendations as needed.
 - b. Document the facts, witnesses, his findings, a determination as to whether the accident was preventable / non-preventable / chargeable / non-chargeable, and determination that the accident is "non-reportable" in a memorandum to the appropriate Division Commander.
 - c. One copy of the package is forwarded to the appropriate Division Commander.
 6. The Division Commander reviews the package, makes a final determination as to the disposition of findings and administers appropriate remedial action(s).
 7. The package is then forwarded to the Commander of Administrative Services within 24 hours.
 8. Although accidents in this section do not require an administrative panel hearing, supervisors may request a hearing based on past records of excessive or frequent accidents. This request shall be made to the supervisor's division commander, and if approved, the process shall follow the procedures outlined in Section IV,D., 8-11 of this general order.
- D. In the event that the investigating officer finds that the accident **has injury or death** of any person, and / or \$1,500 or more total property damage:
1. The accident is "reportable."
 2. An FR-300 report is prepared and submitted to DMV if applicable.
 3. The injury report package is completed (see Attachments "A through E") and forwarded to the City's Risk Manager as noted in Section I, D.
 4. The affected member completes a memorandum documenting the incident.
 5. The immediate supervisor of the involved member, or the investigating supervisor, shall review the accident, and:
 - a. Make any recommendations as needed.
 - b. Document the facts, witnesses, his findings, a determination as to whether the accident was preventable / non-preventable / chargeable / non-chargeable, and determination that the accident is "reportable" in a memorandum to the appropriate Division Commander.
 - c. One copy of the package is forwarded to the appropriate Division Commander.
 6. The package is forwarded to the Commander of Administrative Services within 24 hours.

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7. All accidents falling in this section shall undergo an administrative hearing.
8. The Commander of Administrative Services convenes a panel of three sworn members to investigate the reportable accident, determine the cause of the accident, and make recommendations of actions, if any, to be taken.
 - a. The Commander of Administrative Services appoints a supervisor to chair the panel.
 - b. The chairman appoints a sworn member as the second panel member.
 - c. The involved member appoints one sworn member as the third panel member.
 - (1) Any member appointed to the panel may show reasonable cause to the Commander of Administrative Services why he should not serve on the panel.
 - (2) The Commander of Administrative Services may direct that a new panel member be appointed.
9. The panel shall convene within seven days of the accident, and submit its findings and recommendations to the Commander of Administrative Services, no later than ten days after the accident, unless the Commander of Administrative Services grants a waiver.
 - a. The involved member is advised of the time and location of the panel, and is given the opportunity to appear. Notification is made at least 24 hours prior to the convening of the panel, and is scheduled for a time that the officer is on duty.
 - b. The panel and the involved officer may call witnesses.
 - c. The panel makes a determination as to the cause of the accident, and what remedial or disciplinary action, if any, should be taken. The panel shall not discuss remedial or disciplinary recommendations with the involved member.
10. The Commander of Administrative Services reviews the panel's findings and recommendations, and forwards the package to the Chief of Police with his concurrence or modifications
11. The Chief of Police reviews the package, and implements remedial or disciplinary actions as warranted, normally within fifteen days of the accident.

VII. Damage to Private or Public Property.

- A. City property damage by any cause or private property damage or personal injury caused by a member (including prisoner injury) is reported immediately to the member's supervisor or other authority. Also, see General Order 2-4 for Use of Force reporting procedures.
 1. Highway signs found damaged with no known responsible party are reported to the Emergency Operations Center, who then reports the damage to the Public Works Communication Center.
 2. Minor damage to uniforms or other personal issue gear is reported to the Fiscal Technician as provided in Section VIII of General Order 2-3.
 3. Other City workers report damage or injuries to their supervisor, who becomes responsible for the appropriate notification / documentation.
 4. Any injury to a member is investigated in accordance with Section I of this General Order.
- B. Damage to City property caused by at fault parties is reported to the City's Risk Manager on the appropriate form (see Attachment "E"). When an officer's personal issue gear or personal property is damaged by an at fault party, an estimate of the repair / replacement cost should accompany the report to the Risk Manager.
- C. Once notified of damage or personal injury as described in this Section, the investigating officer should decide if a detailed memorandum should be used to support an administrative review of the circumstances, in addition to the completion of the Incident Report (see Attachment "E"). This decision should be based on:
 1. The nature and extent of damage / injury and recovery possibilities.
 2. Obvious or suspected violation of policy or procedures.
 3. The potential for litigation.
 4. The likelihood of prevention through administrative review of the circumstances.
- D. When the investigating officer determines a detailed memorandum is warranted in addition to the information documented in the Incident Report – Auto and General Liability form (see Attachment "E"), it is prepared as indicated in Section I of this General Order. Any accompanying CAD number for the incident should be referenced in the memorandum.

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- E. Division Commanders coordinate with the City's Risk Manager to help recoup those damages considered compensable in an applicable insurance policy.

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VIII. Accident Prevention and the City Safety Committee

A. See General Order 1-17, Section II, for the City Safety Committee and the accident prevention process.

Attachments: "A" Supervisor Accident / Illness Report.
 "B" Workers' Compensation Panel of Physicians and Form.
 "C" Participating Pharmacies for Workers Compensation Claim.
 "D" Workers' Compensation Prescription Card.
 "E" Incident Report - Auto & General Liability form.

Index as: Member Accident / Injury.
 Accident / Injury.
 Worker's Compensation.
 Infectious Disease Contact.

References: N/A