



Newport News Police Department - Administrative Manual

ADM-325 - INJURY ON/OFF DUTY, FMLA

Amends/Supersedes: ADM-325 (04/12/2018)

Date of Issue: 10/04/2021

I. PROCEDURE

A. Occupational Injuries/Diseases

1. When an employee is injured on-duty, their on-duty supervisor must be notified of the injury as soon as possible. The on-duty supervisor will ensure that the City Human Resources Department is notified and notify the employee's bureau/precinct/division commander.
2. The procedures for addressing occupational injuries and/or diseases will be followed as outlined in the City Personnel Administrative Manual, section [1202 Occupational Injury and Disease Policies, Procedures, and Guidelines](#).
3. Upon completion, the on-duty supervisor will be responsible for ensuring that any required forms as documented on the appropriate Workers Compensation Checklist (NNPD [Form #286](#)) are completed in their entirety. Depending on City contracts, sworn and civilian employees may have different requirements.
4. In **all** cases involving carpal tunnel (suspected or diagnosed through a private physician), the employee shall contact the Support Services Division commander or designee for guidance during normal working hours before seeking medical treatment under workers' compensation.

B. Non-Occupational Injuries/Diseases

1. Generally, injuries/diseases received by an employee off-duty are not covered by workers' compensation except when received off-duty while responding to an emergency and acting to protect life or property, using the particular authority, training, and skills associated with the employee's job description.

NOTE: Workers' Compensation does **not** cover injuries sustained in the course of employment for another employer (i.e., as a security guard for a private business). (see [ADM-360 Secondary Employment](#))

2. If an employee believes that an off-duty injury and/or disease is covered by workers' compensation, the same steps for filing a workers' compensation claim for an on-duty injury will be followed.
3. The procedures for addressing non-occupational injuries/diseases will be followed as outlined in the City Personnel Administrative Manual, Section [1201 Non-Occupational Disabilities Policies, Procedures, and Guidelines](#).

C. Temporary, Limited Duty Assignments

1. All limited duty accommodations shall be made in writing by the Chief of Police, with a copy provided to the City's Human Resources Department. Only the Chief of Police has Departmental authority to place an employee in any temporary, limited duty assignment.

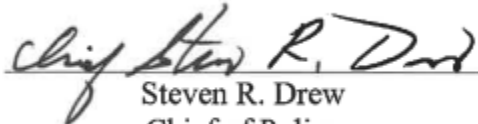
- a. Occupational temporary, limited duty assignments will be reviewed on a case-by-case basis with the City's Human Resources Department per City Policy [1202 Occupational Injury and Disease Policies, Procedures, and Guidelines](#).
 - b. The Newport News Police Department's policy limits temporary, limited duty non-occupational assignments to eight (8) months or less, without exception.
2. An employee placed in a temporary, limited duty assignment will report to the Support Services Division commander or designee. The employee must present medical documentation to the commander before placement in a temporary, limited duty assignment. The Chief of Police will have the final decision to place employees in a temporary, limited duty assignment.
3. If no temporary, limited duty assignments are available, or the employee, due to their injury/disease, is not able to perform all the essential functions of the temporary, limited duty assignment, the employee will be referred to the City Human Resources Department per City Policy [1202 Occupational Injury and Disease Policies, Procedures and Guidelines](#) and City Policy [1201 Non-Occupational Disabilities Policies, Procedures and Guidelines](#) of the Personnel Administrative Manual.
4. The Police Department does not establish permanent or long-term temporary modified duty assignments and reserves the right to terminate temporary modified assignments at any time.
5. The Department may require periodic medical certification supporting the need for temporary modified duty. The Department may authorize fitness for duty medical evaluations to determine the appropriate assignment of employees.
6. While in a temporary, limited duty assignment, an employee will refrain from becoming involved in law enforcement duties, including the execution of arrest warrants.

NOTE: This does not apply to the service of a summonsable warrant in cases where the subject turns themselves in at Headquarters.
7. While assigned to a temporary, limited duty assignment, any reference to the employee's status as a sworn officer should be avoided. All sworn personnel performing limited duty functions will be required to wear civilian clothes and not operate a City vehicle. Sworn personnel in direct contact and/or in plain view of the public shall ensure that their weapon and badge are concealed at all times.

D. Family Medical Leave Act

1. Employees shall request FMLA leave following all applicable City and department policies as soon as the employee knows that leave will be needed (See also: City Personnel Administrative Manual, Section [703 Family Medical Leave Act Policy \(FMLA\)](#)).
 - a. The employee's supervisor will request the employee complete an FMLA Notification Form (NNPD [Form #259](#)) located on the Department's Common drive.
 - b. Once completed, the employee will e-mail the completed form to the Department's Financial Management Division and provide a copy to their supervisor.
 - c. Financial Management Division personnel will review the form, provide the employee with instructions and track FMLA leave on any covered employee.
 - d. Intermittent leave, or reduced schedule leave, is defined in the City Personnel Administrative Manual, section [703 Family Medical Leave Act Policy \(FMLA\)](#).

- 1) In cases of an intermittent FMLA designation, the employee is responsible for noting the dates of FMLA coverage on their timesheet.
 - 2) Requests for intermittent leave not medically related (to provide child care after the birth of a healthy child or placement of a healthy child for adoption or foster care will not be approved).
- e. Supervisors receiving medical notes or memos on an employee eligible for FMLA should ensure that these documents are sent to the Financial Management Division.
 - f. Supervisors will not retain a copy of any FMLA requests or associated medical records after being forwarded.
2. Employee absences covered by FMLA do not constitute an automatic excuse from court attendance. (see [ADM-385 Court Procedures](#) for procedures relating absence from court appearance.)


Steven R. Drew
Chief of Police