
ADMINISTRATIVE DIRECTIVE – 101.007
ALTERNATE DUTY ASSIGNMENTS

EFFECTIVE DATE: June 9, 1994
AFFECTS: All Personnel

REVISION DATE: May 29, 2019

I. PURPOSE

This Administrative Directive addresses circumstances in which an employee is temporarily unable to perform the required duties associated with his/her job description, position or job task analysis. Alternate Duty Assignments may be available to an employee who has an on-duty or off-duty injury or illness, or is pregnant. While it is necessary to review each case on an individual basis, this Administrative Directive is intended to provide procedures that will ensure fairness and uniformity in these assignments.

II. POLICY

Alternate Duty Assignments are a management prerogative and not an employee right, expectation of right or property interest. These Assignments are intended to provide Department employees with the ability to continue working within the limits of their restrictions and limitations on a temporary basis while providing the Department with productive employees during the interim period. Any accommodations to an employee's required work conditions will be made without undue hardship and without adversely affecting the Department's operations. While every effort will be made to accommodate the needs of the employee, Alternate Duty Assignments will NOT become permanent. All employees who are assigned to an Alternate Duty Assignment per this Directive will make every effort to return to their regular assignment. Alternate Duty Status shall not exceed a maximum of **1,968** hours within a 12-month period and will begin on the date the employee is first assigned to an Alternate Duty Assignment. Employees are not eligible for consecutive Alternate Duty assignments without first returning to regular duty.

NOTE: Any injuries or medical conditions which result in permanent disabilities or qualify as a disability under State or Federal law will be addressed by City of Plano Human Resources.

III. DEFINITIONS

- A. Alternate Duty Assignment – Duty not requiring performance of the full range of duties associated with the regular job classification, as described by a job description or job task analysis due to medical limitations or restrictions as determined by a medical physician.
- B. Alternate Duty Coordinator – A Departmental employee whose responsibilities include management of the Alternate Duty Assignment Program. Appointment to this position is made at the discretion of the Chief of Police.
- C. Alternate Duty Status – The status of an employee who due to an injury or illness has been placed on restricted work activity as determined by a medical physician.
- D. Employee – Sworn and civilian employees in the City of Plano Police Department, unless otherwise stated.
- E. Incapacity – Incapacity occurs when an employee, for physical or psychological reasons, is unable to perform the essential functions of his/her job. This can result from on-the-job injuries or from injuries or illnesses not related to the job or workplace. (City of Plano Policies and Procedures 214.00)
- F. Injury or Illness – A medical condition that impairs or restricts the work requirements of an employee, as defined by the employee's job description, job task analysis or that is associated with the employee's regular job position.
- G. Length of Term: Alternate Duty Assignment – The length of an Alternate Duty Assignment is a maximum of 1,968 hours within a 12-month period and begins on the date the employee is first assigned to an Alternate Duty Assignment. Employees will take authorized personal leave (accrued vacation, sick or comp time) if he/she is unable to return to regular duty after the maximum of 1,968 hours within a 12-month period have been taken. (The 1,968 hours is determined by the average

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number of working hours in a calendar year, less 72 hours for Holiday Leave and less 40 hours of mandatory vacation leave.)

- H. Non-work Related Injury or Illness – An injury or illness not associated with the employee’s work for the City of Plano.
- I. Work Related Injury – An injury occurring during regular on-duty hours or if off-duty, incidental to an action taken by a sworn employee that required the authority and enforcement powers of a licensed peace officer.

IV. PROCEDURES

A. General Procedures

- 1. Any employee with a temporary injury or medical condition resulting from his/her employment with the Plano Police Department may be assigned an Alternate Duty assignment consistent with appropriate restrictions as determined by a medical physician, when:
 - a. The employee has complied with City of Plano and Departmental directives in reporting the injury or illness, and
 - b. The employee has provided the Alternate Duty Coordinator a completed “Texas Workers Comp Work Status Report.”
- 2. The Chief of Police has the ultimate authority to determine whether it is in the best interest of the Department to place an employee in an Alternate Duty Assignment and, if so, the work hours, days off and in what position the employee will be assigned to within the Department. The Chief of Police may also assign an employee on Alternate Duty status within the City of Plano if there is no Alternate Duty Assignment available within the Department. (City of Plano Policies and Procedures 211.00)
- 3. All Alternate Duty Assignments must meet the following criteria:
 - a. The work performed must contribute to the achievement of Department goals and objectives.
 - b. The nature of the work accommodates the employee’s need for restricted physical activity.
 - c. The tasks involved do not require long periods of instruction or close supervision.
- 4. Alternate Duty Assignments shall be subject to continuous reassessment dependent upon:
 - a. Department need;
 - b. The estimated length of time the employee is expected to remain on Alternate Duty status; and
 - c. The employee’s current medical limitations and restrictions as dictated by a medical physician.
- 5. Employees with a compensable on-duty injury or illness may be offered an Alternate Duty Assignment outside of their regular assignment, work hours, or duties if an Assignment becomes available.
 - a. An employee who is taking Worker’s Compensation leave cannot be required to work in an Alternate Duty Assignment.
 - b. An employee who is physically qualified to work in an Alternate Duty Assignment as determined by a medical physician but declines to do so will forfeit their Worker’s Compensation benefits.

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6. Employees with an **off-duty** injury or illness may be offered an Alternate Duty Assignment. If an Assignment is offered, the employee may either accept the Assignment or continue to draw on personal leave balances (e.g., sick, vacation).
 7. Employees shall be notified in writing by the Alternate Duty Coordinator of an approved Alternate Duty Assignment.
 8. Employees assigned to an Alternate Duty Assignment will report to work regularly and on time and will dress in accordance with Administrative Directive 106.010.
 9. An Alternate Duty Assignment does not affect a sworn employee's entitlement to a paid leave of absence for an injury or illness that is sustained in the line of duty pursuant to Texas Local Government Code Section 143.073.
- B. Work Related Injuries or Illnesses
1. An employee who sustains an on-duty injury or work related medical condition that will prohibit them from performing their regular job functions shall notify their immediate supervisor as soon as possible.
 2. The immediate supervisor must complete the Risk Management Report. This report will be sent to Risk Management within 24 hours and to the Alternate Duty Coordinator before the end of the employee's tour of duty.
 - a. If the employee seeks treatment from a medical physician, the medical physician must complete a Texas Worker's Compensation Work Status Report. This is a State form which is furnished by the medical physician.
 - b. If the medical physician believes the employee is unable to return to regular duties, the medical physician will indicate this on the Texas Worker's Compensation Work Status Report. The employee is responsible for delivering the original document to the Alternate Duty Coordinator.
 - c. If the medical physician believes the employee is physically able to be assigned to an Alternate Duty Assignment, a possible start date for this Assignment must be indicated on the Texas Worker's Compensation Work Status Report. Any restrictions for the Alternate Duty Assignment must be notated in this report by the medical physician.
 3. If an employee is approved for Alternate Duty Status by their medical physician, but the employee does not feel like they can report to work, they must use their own sick time, comp time, etc.
 4. Each time the employee has an appointment with the medical physician attending to his/her injury/illness, the medical physician must complete a new Texas Worker's Compensation Work Status Report. The employee must return the completed report to the Alternate Duty Coordinator upon the employee's return to work. Texas Worker's Compensation Work Status Reports are not required for therapy sessions where a medical physician is not seen.
 5. Performance evaluations will be documented in accordance with the employee's normal review schedule by the Alternate Duty employee's original supervisor with the assistance of the Alternate Duty Assignment supervisor at the time of the evaluation.
 6. When the medical physician releases the employee for regular duty, the medical physician will review the employee's Job Task Analysis and Job Description to ensure the employee is capable of performing the necessary tasks listed and complete the Texas Worker's Compensation Work Status Report, indicating the date the employee is released to regular duty status.

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- a. The completed Texas Worker's Compensation Work Status Report must be returned to the Alternate Duty Coordinator on the day of the appointment or the following workday.
 - b. The Alternate Duty Coordinator will email the employee's chain of command at both their regular assignment and the Alternate Duty Assignment to provide information about the status of the employee.
- C. Non-Work Related Injuries/Illnesses
1. Employees with non-work related injuries/illnesses should notify their immediate supervisor as soon as possible, but will not report the injury to Risk Management.
 2. If an employee desires to work in an Alternate Duty Assignment, they must have a medical physician complete the Non-Work Related Medical Status Form (FM600.006) notating the employee is able to be assigned to an Alternate Duty Assignment. The medical physician will also notate specific limitations or restrictions for the employee on the form.
 - a. The employee is responsible for delivering the original Non-Work Related Medical Status Form to the Alternate Duty Coordinator.
 - b. The Non-Work Related Medical Status Form will be filed in the employee's medical file which will be maintained by the Professional Standards Unit. Copies of this form or any other medical form relating to an employee's personal medical status will not be kept anywhere other than with the Professional Standards Unit.
 3. If the employee does not wish to work an Alternate Duty Assignment, the employee will be required to use sick leave, vacation, or some other form of authorized leave.
- D. Return to Duty
1. Employees may remain on Alternate Duty status for no more than 1,968 hours from the first day of the Alternate Duty Assignment within a 12-month period. At least thirty (30) days before the expiration of the 1,968 hours of Alternate Duty, the employee's medical physician shall provide written documentation to the Alternate Duty Coordinator indicating a reasonable anticipated date to return to regular duty.
 2. If an employee's medical physician determines that the employee cannot return to regular duty after a maximum of 1,968 hours of Alternate Duty within a 12-month period, the employee may use authorized personal leave (accrued vacation, sick or comp time).
- E. Alternate Duty Status - Pregnancy
1. Upon receiving a medical physician's notification that the employee can no longer perform the essential functions of her regular duties, the employee may submit a written request for an Alternate Duty Assignment within the Department.
 2. An Alternate Duty Assignment shall be handled in accordance with a medical physician's recommended restrictions, limitations and duration.
 3. Before returning to work, the employee must provide a Non Work Related Medical Status Report (FM600.006) to the Alternate Duty Coordinator indicating the anticipated return to her regular assignment. If an employee needs to return to an Alternate Duty Assignment, the form shall include any restrictions and either an anticipated date of the employee's return to regular duty or the employee's next anticipated medical evaluation appointment.
- F. Restrictions while on Alternate Duty Status
1. Employees assigned to any Alternate Duty Assignment shall maintain all certifications, training, and qualifications appropriate to both their regular and temporary duties provided the

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- certifications, training, or qualifications are not in conflict with any limitations or restrictions set forth by the employee's medical physician.
- a. Sworn employees should review TCOLE Rule 218.7, Waiver of Legislative Required Continuing Education in regards to waiving required continuing education for a licensed peace officer.
 - b. Sworn employees should review TCOLE Rule 218.9, Continuing Firearms Proficiency Requirements as it applies to waiving required firearms qualifications.
2. Employees assigned to an Alternate Duty assignment shall inform their supervisor of any inability to maintain any certifications, training, or qualifications.
 3. Sworn employees on Alternate Duty status may interview and/or test for available non-promotional positions within the Department. However, employees may not transfer into the position unless the employee obtains a release to normal duty from his/her personal medical physician.
 4. Sworn employees on Alternate Duty status who are eligible to sit for a promotional examination may do so, however, the sworn employee must obtain a release to normal duty from his/her personal medical physician prior to the effective date of the promotion. This does not negate the requirements of Local Government Code Section 143.022(b).
 5. Employees approved to work in an alternate duty assignment are authorized to carry their approved firearm in a concealed manner while on duty as long as the employee's restriction does not prevent or interfere with the officer's safe handling and/or use of their approved firearm.
 6. Employees shall not:
 - a. Drive a City-owned vehicle without supervisor approval.
 - b. Utilize a take home vehicle without supervisor approval.
 - c. Participate in activities that could possibly hinder recovery (e.g., strenuous athletic activity) or safety of themselves or others.
 - d. Work any secondary employment.
 7. Sworn employees shall not:
 - a. Wear any part of the Plano Police Department police uniform.
 - b. Enforce any laws of the United States, State of Texas, or Ordinances of the City of Plano.
 - c. Take law enforcement action or make arrests.
 - d. Display their police badge, duty or alternate duty firearm, or identification card in a manner that may identify them as a police officer.
- G. Alternate Duty Coordinator Responsibilities
1. Brief the Chief of Police, Bureau Assistant Chiefs and the Administrative Services Bureau Manager of each incident, regardless whether it is an on-duty or off-duty injury or illness immediately upon receipt of the Risk Management Report by the employee.
 2. Provide a monthly report to the Chief of Police of the employees on Alternate Duty or Unassigned Employee Status which includes the following:
 - a. Employee name

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- b. Regular duty assignment
 - c. Alternate Duty Assignment
 - d. Dates of Assignment or availability for Assignment
 - e. Date of injury or illness
 - f. Whether the injury or illness is work related or non-work related
 - g. Status of when the employee will be returning to work based on scheduled reviews with the employee
3. Coordinates with City of Plano Risk Management for placement in Alternate Duty Assignments outside the Department.
 4. Submit employee's Workers Compensation and Risk Management forms to Human Resources.
 5. All forms associated with Alternate Duty Assignments due to an on-duty or off-duty injury or illness will be retained by the Professional Standards Unit separate from any Departmental documentation.
- H. Revision or Revocation of This Policy – The Chief of Police has the authority to discontinue or amend any part of this policy at any time when it is determined to be in the best interest of the Department.