

**University of Chicago Police Department
GENERAL ORDER**

Effective Date December 18, 2019		Number GO 1017
Subject: Pregnancy Policy		
References: Illinois Statute 775 ILCS 5/2-102		
Reevaluation Date Annually		No. Pages 5
Amends 11 MAY 2018 Version 21 APR 2015 (O.D.P.)		Rescinds:
Approved By: Kenton W. Rainey, Chief of Police		Signature: Original signed document of file in Accreditation Office

1017.1 PURPOSE

The goal of this policy is to provide options which allow for an officer to remain working in a full-time capacity and performing full-duty assignments, in combination with alternate duty assignments, for as long as reasonably possible. This policy seeks to ensure a woman's right to work, free from discrimination, while guarding against the risks inherent in the performance of her duties, during pregnancy.

1017.2 POLICY

The Department recognizes that its diverse workforce is a valuable asset and that trained and experienced female police officers are a critical resource. Pregnancy is a temporary physical condition, which may or may not affect an employee's ability to perform many of the usual duties of the job classification. This policy establishes procedures to modify full-duty assignments and, when needed, provide temporary, alternate duty assignments to eligible pregnant police officers when they are unable to safely perform all of the essential functions of their normal assignments.

The Department shall comply with Illinois statute 775 ILCS 5/2-102.

1017.3 SWORN NOTIFICATION

- A. A sworn employee should notify her immediate supervisor, in writing, of her pregnancy as soon as practical. The employee may request reasonable accommodation(s).
- B. An employee requesting reasonable accommodation(s) shall submit documentation from their health care provider, including:
 - 1. The medical justification for the requested accommodation(s).
 - 2. A description of the reasonable accommodation(s) medically advisable.

3. The date the reasonable accommodation(s) became medically advisable.
 4. The probable duration of the reasonable accommodation(s).
- C. The Deputy Chief shall be notified by the supervisor as soon as reasonably possible. University Human Resources shall be notified and involved, as appropriate.
 - D. No employee shall be required to accept an accommodation when the employee did not request an accommodation and the employee chooses not to accept the Department's accommodation.
 - E. No adverse action will be taken against an employee based on the need of the Department to make reasonable accommodations to the known medical or common conditions related to the pregnancy or childbirth of the employee.
 - F. No employee shall be required to take leave, if another reasonable accommodation can be provided to the known medical or common conditions related to the pregnancy or childbirth of the employee.

1017.4 SWORN ALTERNATE DUTY

- A. Any reasonable accommodation with a temporary alternate duty assignment shall be based upon the operational needs of the Department and at the discretion of the Chief of Police or their designee. Employees on temporary alternate duty assignment may not engage in off-duty employment in which they may reasonably be expected to perform functions for which they have been determined physically unable to perform on behalf of the Department. All outside employment of an employee on temporary alternate duty assignment must be reported to, and approved by, the Chief of Police, or designee.
- B. To ensure that officers who are unable to perform essential tasks are not placed in a position which would present a risk to themselves, other employees or the public, all officers placed into a temporary alternate duty status shall not wear a police uniform and shall not operate a marked police vehicle unless approved by the Chief of Police, or designee. Duty pistols worn by alternate duty officers, not in uniform, must be concealed from view.
 1. Employees assigned to temporary alternate duty assignments who are not approved for uniformed duty will dress in appropriate business attire.
- C. Simulation firearms training and testing will be done rather than live-fire qualification.
- D. The Chief of Police, or designee, approving a temporary alternate duty assignment will provide the employee with specific guidelines covering, but which may not be limited to:
 1. Participation in field duties, including law enforcement action.

2. Carrying firearms and/or other weapons on duty.
3. Duty attire (uniform vs. business attire).
4. Driving Department vehicles.
5. Having contact with suspects or detainees in the building.
6. Working secondary employment.
7. Assigned shift, workdays and work hours. The employee may be required to work rotating shifts and/or rotating days off. The employee shall be entitled to all previously scheduled vacation days.
8. Training and court appearance restrictions

1017.5 SWORN FULL DUTY

- A. During pregnancy, an officer may be able to continue to work in her usual, full-duty assignment. Employees should confer with their personal physicians, providing him or her with the Department's job description that delineates the essential job functions of a police officer and a copy of this policy.
- B. During the officer's pregnancy, simulation firearms training and testing should be considered as a preferred alternative to live-fire qualification, if reasonably available.
- C. The need for uniform and equipment modifications during the pregnancy will be considered, and accommodations shall be made to the extent practical.
- D. During the pregnancy, it may become necessary for the Department to evaluate the employee's continuing ability to safely and effectively perform the essential functions of her position. In such a case, the Department may consider whether the pregnancy creates an undue safety risk to the employee, co-workers, and/or the public. The Department may consult with the Department selected physician and/or the employee's physician in making this evaluation. If the Department determines that the employee's condition unreasonably interferes with her ability to perform in a full-duty capacity, she may be reassigned to alternate duty. See section 3.D above.
- E. Continuing Evaluation
 1. Any evaluation made by the Department under this policy shall be limited to a review of the employee's medical records, which must be provided by the employee, and consultation with the employee and/or her physician. The Department will not routinely examine the employee for pregnancy-related matters. In rare instances where medical records supplied by the pregnant employee are

deemed insufficient to make a determination as to assignment, the Department may recommend that the pregnant employee be examined by an obstetrician-gynecologist or by a physician knowledgeable about obstetrics. The purpose would only be to gather enough information to make a determination as to her assignment and accommodations.

2. Pregnant employees shall be permitted to work as long as they are able to perform their jobs and will not be subjected to special procedures to determine their ability to work. If an employee becomes unable to perform the functions of her maternity duty assignment, the Department may require her to take leave, in compliance with the Family and Medical Leave Act and other applicable law. If an officer has been temporarily absent from work as a result of a pregnancy-related condition and she recovers, she shall not be required to remain on leave until the baby's birth.
3. The employee may elect to take such leave if medically warranted and in conformance with applicable employer regulations and procedures. The pregnant employee shall be treated the same as any other employee voluntarily seeking leave and/or sick pay because of any other physical condition.

1017.6 NON-SWORN PREGNANCY

The Department shall comply with Illinois statute 775 ILCS 5/2-102.

- A. An employee shall officially notify her immediate supervisor, in writing, of her pregnancy when she and her physician feel that she can no longer perform all of the duties within her job classification without risk to the health and safety of the employee and/or her unborn child. The employee may request reasonable accommodation(s).
- B. An employee requesting reasonable accommodation(s) shall submit documentation from their health care provider, including:
 1. The medical justification for the requested accommodation(s).
 2. A description of the reasonable accommodation(s) medically advisable.
 3. The date the reasonable accommodation(s) became medically advisable.
 4. The probable duration of the reasonable accommodation(s).
- C. The Deputy Chief shall be notified by the supervisor as soon as reasonably possible. University Human Resources shall be notified and involved, as appropriate.
- D. No employee shall be required to accept an accommodation when the employee did not request an accommodation and the employee chooses not to accept the Department's accommodation.

- E. No adverse action will be taken against an employee based on the need of the Department to make reasonable accommodations to the known medical or common conditions related to the pregnancy or childbirth of the employee.
- F. No employee shall be required to take leave, if another reasonable accommodation can be provided to the known medical or common conditions related to the pregnancy or childbirth of the employee.

1017.7 LACTATION

As part of our commitment to families, the Department supports breastfeeding mothers by accommodating mothers who wish to express breast milk during their workday when separated from their newborn child. For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby.

- A. The Department will designate a private room for employees with lactation needs. The room shall not be a bathroom. Employees with lactation needs may utilize this room for breast pumping during their tour of duty.
- B. A small refrigerator, reserved specifically for the storage of breast milk, will be made available. Any breast milk stored in the refrigerator must be labeled with the name of the employee. Any non-conforming items stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and risk of harm for any reason.
- C. All lactation-related activity shall be scheduled with the employee's supervisor. It is the responsibility of the employee to arrange the schedule so that the supervisor may make any necessary adjustments to deployment to assure coverage. The supervisor shall not unnecessarily or unreasonably prevent the employee from scheduling the needed breaks.
- D. The employee may break their lunch period down into 20 minute intervals, if they wish, in order to distribute time more advantageously for lactation activities.
- E. Lactation breaks of more than 20 minutes, outside of the employee's lunch period, will be unpaid unless accrued personal leave or vacation time is used. Sick time may not be utilized for these breaks.
- F. All unpaid or paid leave time taken, must be recorded in quarter-hour increments, or in accordance with the employee's collective bargaining agreement.