

GREENFIELD POLICE DEPARTMENT

LIMITED DUTY ASSIGNMENT General Order 19-003
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PURPOSE:

This policy establishes the authority and guidelines for temporary limited duty assignments and procedures for granting such assignments to eligible personnel.

POLICY:

Whenever an employee is recuperating from an injury, illness, or other medical condition, whether work- or non-work-related, and is temporarily restricted from performing all of the required job functions of their position, the Greenfield Police Department ("Department") may provide those employees with temporary limited duty assignments where available. The availability of a limited duty assignment is exclusively determined by the Chief of Police or the Chief's designee. No limited duty assignment will constitute a permanent or long term assignment or alter the at-will nature of employment with the Department.

DEFINITIONS:

Eligible Personnel--For purposes of this policy, any regular full time sworn or civilian employee of the Greenfield Police Department recuperating from an illness, injury or medical condition who, because of their injury, illness or medical condition, is temporarily unable to perform the regular functions of their position but is capable of performing alternative assignments as determined by the Department based on recommendations and/or information from the employee's health care provider.

Limited Duty Assignments--Temporary assignments which can be performed by a person with temporary medical restrictions. Such assignments will be for a defined period of time, will not become a permanent assignment, and generally will not exceed twelve (12) weeks. Periods of limited duty that may exceed 12 weeks must be approved by the Chief of Police.

Work related condition--Any temporary injury, illness, or other medical condition that occurs in the course of and/or arises out of employment.

Non Work-related condition--Any temporary injury, illness or other medical condition that does not occur in the course of or arise out of employment.

PROCEDURES

A. General Provisions

- a. Any eligible personnel may apply for Temporary Limited Duty under this section.
- b. Temporary Limited duty positions are limited in number and variety. The Department is not required to create limited position duties in any particular circumstance. However, if work exists

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that may be performed by eligible personnel within their medical restrictions, work will generally be assigned as follows.

1. Eligible personnel requesting limited duty assignments due to a work-related condition shall be given preference in initial assignment to limited duty: and
2. Assignments may be changed or discontinued at any time at the Department's discretion due to operational and/or business needs. Assignment to limited duty does not change the at-will nature of employment with the Department.

c. Assignment to temporary limited duty will not change an employee's pay classification, retirement benefits or any other employee benefit protected by law.

d. The limited duty work week will typically be Monday through Friday and will not exceed eight (8) hours per day, but is subject to change at the Department's discretion due to operational business needs. 12 hour shift officers will go to the 5 day 8 hour shift schedule while assigned to limited duty. Any required physical therapy or treatment will be scheduled during the 8 hour work day.

e. No specific position within the Department shall be established for use as a temporary limited duty assignment, nor shall any existing position be designated or utilized exclusively for personnel on temporary limited duty.

f. The maximum time that an employee will be assigned to limited duty generally will be twelve (12) weeks in a twelve month period measured from the date that limited duty is first approved. Periods of limited duty that may exceed 12 weeks must be approved by the Chief of Police.

g. Employees on limited duty assignments are prohibited from engaging in outside employment or activities inconsistent with the medical restrictions that serve as the basis for having sought a limited duty assignment.

h. Eligible personnel may not refuse temporary limited duty assignments that are consistent with the restrictions imposed by their health care provider.

B. Temporary Limited Duty Assignments

a. Temporary limited duty assignments may be drawn from a wide range of technical and administrative areas. The final decision as to the type and availability of limited duty assignments shall be determined solely by the Chief of Police or the Chief's designee.

b. In determining the availability of an appropriate limited duty assignment, the Chief of Police or the Chief's designee may consider, among other things the requesting employee's knowledge, skills and abilities and the medical limitations imposed on the employee.

c. Eligible employees assigned to limited duty work normally performed by employees in a job classification either above or below the eligible employee's current pay classification will be paid according to the eligible employee's pay classification prior to being assigned to the limited duty assignment.

d. Limited duty assignments are made on a case-by-case basis, and the grant of limited duty to an employee in any given instance shall not constitute a practice or create the expectation of limited duty availability for that or any other employee in different instances.

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Chief of Police

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C. Requests for and Assignment to Temporary Limited Duty

- a. Requests for temporary limited duty assignments shall be submitted in writing to the requesting employee's Division Commander at least five days prior to the requested start of the limited duty assignment. Requests must include documentation from the requesting employee's health care provider substantiating the medical necessity of a limited duty assignment. Such documentation must typically include the health care provider's certification that the requesting employee's medical condition renders him or her temporarily unable to perform all of his or her required job functions, detailed work restrictions, and the probable duration of the medical condition supporting the need for limited duty. The Department reserves the right to require additional information where appropriate, including but not limited to the health care provider's certification that specific light duty work complies with the requesting employee's restrictions. No one from the department is allowed to contact the requesting employee's medical provider for information. The Department must request that the employee provide the documentation.
- b. The Division Commander may confer with members of the Command Staff to determine if appropriate limited duty work is available.
- c. The request for temporary limited duty and supporting documentation as well as the recommendation from the Division Commander shall be forwarded to the Chief of Police or the Chief's designee for final consideration.
- d. The Department may require the requesting employee to undergo an independent medical examination by a health provider of the Department's choosing. Second opinion visits made at the request of the department will be paid by the department. In the event the opinion of this second health care provider differs from the health care provider whose opinion and/or documentation was initially submitted by the requesting employee, the employee may request a third opinion at their own expense.
- e. The employee and the Department shall cooperate in good faith to select a health care provider who will render a third opinion. That third opinion will be used as the basis for consideration of the employee's request for limited duty.
- f. Employees requesting limited duty must cooperate with the Department's efforts to obtain information necessary for its decision. This obligation to cooperate includes but is not limited to the execution of any waivers, releases, requests, or other forms required by health care providers as a prerequisite to the release of information.
- g. Officers who fail to complete therapy or follow medical recommendations to return to their regular duties will be subject to discipline.

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