

# THURMONT POLICE DEPARTMENT

## GENERAL ORDER

Date Issued: August 27, 2007

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Order No: Chapter 21.4

Authority: Chief of Police

Gregory L. Eyer

Manual Page No:

Subject: **Injuries and Disabilities**

Replaces Page No:

Accreditation Standard: Chapter 22

Distribution: **ALL**

Amends:

Number of Pages: 8

Related Documents:

Rescinds:

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way. This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s) (including discipline and/or termination).

### I. PURPOSE:

To specify procedures for reporting and handling injuries/disabilities which occur either on or off duty.

### II. POLICY:

All employees' injuries, whether incurred on or off duty, must be reported if any of the conditions listed herein are applicable.

### III. DEFINITIONS:

**FULL DUTY STATUS:** an officer is medically fit (physically and mentally) to perform all of the duties and job responsibilities of a sworn police officer in the Thurmont Police Department.

**IWIF:** Injured Workers' Insurance Fund

**LIMITED DUTY STATUS:** an officer is temporarily unable to perform some of his/her duties and job responsibilities as a sworn police officer in the Thurmont Police Department. This is because of a temporary medical condition/illness/injury that has been diagnosed by a medical professional. The medical condition/illness/injury must present no unreasonable risk to the officer, other employees, or

the public during performance of limited duty assignments. Some examples may be a sprain or strain, recovering from minor surgery, etc.

**RESTRICTED DUTY STATUS:** an officer is temporarily unable to perform all or most of his/her duties and job responsibilities as a sworn police officer in the Thurmont Police Department. This is as a result of a temporary medical condition/illness/injury, which has been diagnosed by a medical professional, and which may also present an unreasonable risk to the officer, other employees, and the public, should the officer be allowed to perform in a Full or Limited Duty Capacity. Examples may be a casted limb, recovery from major surgery, etc.

## **V. PROCEDURE:**

Department employees are fully protected in the event of an injury arising out of and in the course of employment. The Town of Thurmont provides for its employees liability, and gives each employee full protection under the workers compensation laws of the State of Maryland.

### **A. Reporting of Employee Injuries**

1. An officer or employee of the Department is required to report any illness/injury sustained in the performance of their duties immediately to their supervisor. The following forms will be completed promptly and forwarded to the Chief of Police via the chain of command and to the Chief Financial Officer for appropriate disposition.
  - a. Employee's Report of Injury, Form 204A
  - b. Accident Witness Statement, Form 204B
  - c. Supervisor's Accident Investigation, 204C
2. Employees suffering an injury will also be required to submit a detailed report in memorandum format to the Chief of Police via the chain of command, explaining the circumstances of the injury.
3. If an employee is incapacitated as a result of the injury, their supervisor will then complete the necessary forms and forward same to their appropriate destination.
4. Failure to report an injury may affect a claim for coverage.
5. Employees will be required to seek the appropriate medical attention at the time of the injury. Treatment may be provided at the nearest emergency facility and/or CorpsOHS, as authorized by the Town of Thurmont.

If the officer wishes to seek medical attention from his/her own personal physician (at his/her own expense), he/she may do so. However, after the personal physician has had the opportunity to examine and treat the officer, the officer must be seen at CorpOHS for evaluation. This examination must occur as immediate to the injury and examination by the private physician as possible, without jeopardizing the health of the injured/ill officer.

6. Follow up illness/injuries/status reports will be submitted no less than every ten (10) days for the duration of the condition, unless specifically waived by the Chief of Police. A doctor's note describing the condition and any restrictions must be attached initially, and any change in condition or work status must be accompanied by a doctor's note. In addition, if an employee has had medication prescribed, he/she is required to consult with the medical professional who has prescribed the medication on both of the following points:
  - a. Will the medication cause any physical effects that will impair his/her ability to function as a police officer? and;
  - b. Will the medication cause any psychological/judgment impairment that will affect his/her ability to function as a police officer?
7. The officer may be subject to a temporary reassignment that has duties and responsibilities consistent with his/her medical restrictions. Such temporary duties will not normally exceed one year for a specific incident. However, the Chief of Police has the discretion to extend this restriction for cause.

**B. Restrictions While on Limited Duty Status**

1. The officer's police powers will not be suspended.
2. The officer will not wear the police uniform, in part or in whole, for the duration of the Limited Duty.
3. The officer may be temporarily reassigned to a position that has duties and responsibilities consistent with his/her medical restrictions. Such temporary duties will not normally exceed one year for a specific incident. However, the Chief of Police has the discretion to extend this restriction for cause.
4. The officer will not operate any marked emergency vehicle while on Limited Duty. Any officer with a marked "Take Home" vehicle will leave the car parked at Headquarters for the period of Limited Duty. The Chief of Police may temporarily

reassign the vehicle if he sees fit.

5. The officer will not be permitted to work any security-related secondary employment for the duration of the Limited Duty, whether or not that employment normally requires wearing the uniform.
6. The officer will be required to submit the appropriate reports as outlined in this order.
7. Personnel may be required to be examined by a Town-appointed medical professional to determine status.
8. If no Limited Duty assignment is available, the Department is under no obligation, and the employee may be refused the right to return to work until capable of performing in his/her position at 100% capacity.
9. Upon approval of the Limited Duty, a personnel order from the Chief of Police will be issued to the employee.
10. Upon the employee's ability to return to a full-duty status, a personnel order will be issued to the employee. The employee must have a doctor's note approving full-duty status.
11. Professional attire is the required standard of dress while on Limited Duty.

C. Restrictions While on Restricted Duty Status

1. The officer's police powers will be suspended and he/she will surrender his/her Department ID Card, MPCTC Certification Card, FCSO Special Deputy Card, Badge, and firearm to the Chief of Police or designee.
2. The officer is not only relieved of law enforcement responsibilities, but is prohibited, during the medical suspension, to take any operational enforcement actions. This does not preclude the officer from taking such action as calling 911, taking notes, or administering first aid; actions that a civilian might take in the same situation.
3. The officer will not wear the police uniform, in part or in whole, for the duration of the Restricted Duty.
4. The officer will not operate any police vehicles, marked or unmarked. Any officer with a "Take Home" vehicle will leave the car parked at Headquarters for the period of the Restricted Duty. The Chief of Police may temporarily reassign the vehicle if he sees fit.

5. The officer will not be permitted to work any security-related secondary employment for the duration of the Restricted Duty, whether or not that employment normally requires wearing the uniform.
6. The officer will be required to submit the appropriate reports as outlined in this order.
7. Personnel may be required to be examined by a Town-appointed medical professional to determine status.
8. If no Restricted Duty assignment is available, the Department is under no obligation, and the employee may be refused the right to return to work until capable of performing in his/her position at 100% capacity.
9. Upon approval of Restricted Duty, a personnel order from the Chief of Police will be issued to the employee.
10. Upon the employee's ability to return to full-duty status, a personnel order will be issued to the employee. The employee must have a doctor's note approving full-duty status.
11. Professional attire is the required standard of dress while on Restricted Duty.

**D. Disability Status**

1. In the event an officer on Limited or Restricted Duty is chronically incapacitated and cannot return to Full Duty (as determined by the Town physician) after the temporary assignment, and the Chief of Police does not find just cause to extend the assignment, the status of the officer will change to Disabled. Disabled status will also be in accordance with the Town of Thurmont's policy and procedures.

**E. Pregnancies**

1. In the event an officer discovers she is pregnant, the following conditions will apply:
  - a. As soon as the officer verifies she is pregnant, she will submit a memorandum to the Chief of Police via the chain of command, advising of her pregnancy. The memo must be accompanied by a note from her personal physician which will include the estimated due date, as well as any other information the physician deems necessary for the Department to have, in order to make decisions about any potential limitations.

- b. Upon receipt of the memorandum, the Chief of Police or designee will forward a copy of the pregnant officer's job description to the physician for his/her review, in order to determine a date beyond which the officer will not be able to perform all her duties as a sworn police officer. The Chief of Police will then make a determination as to the officer's current and future duty status (including the wearing of the uniform) throughout the course of the pregnancy.
- c. The officer's pregnancy will be kept discrete among the Command Staff while the officer continues Full Duty status. Other officers and Department/Town employees will be informed of the officer's pregnancy only once placed on Limited or Restricted Duty.
- d. Additional reports are applicable in this instance, but will only be required in the event there are any changes to the officer's medical conditions that may alter her ability to perform in her current assignment. A doctor's note must accompany the reports. If, at any time, she becomes unable to perform fully as a police officer, she would then be placed on either Limited Duty or Restricted Duty, based on the doctor's recommendation. Additionally, a pregnant officer who desires to be placed on Limited or Restricted Duty during any stage of the pregnancy will be granted the status. However, the officer's status will always be at least as, if not more, restricted by the Department than required by the physician.
- e. In the event the condition of the officer requires that she be relieved of all duties prior to the seventh month of pregnancy, or that she remain off duty longer than six weeks after delivery, she will submit to her supervisor a doctor's not enumerating the specific reason(s) for the extended leave.
- f. Subsequent to delivery and the post delivery examination, the officer will provide her supervisor with a note from the physician indicating the officer's expected return date to Full-Duty.
- g. The Chief of Police may, if deemed necessary, require the officer to be evaluated by CorpOHS.

F. Fitness for Duty

- 1. The Chief of Police, or his designee, possess the authority to order an officer or employee to submit to a "fitness for duty" examination, whether physical or mental, at any time he deems it necessary and proper. The results of such examinations will be released only to the Chief of Police or his appointed representative. A review of the results will be conducted with the examining medical authority so that an

informed decision can be made as to the “fitness for duty” of the individual in question.

G. Cost of Examinations

1. Any time the Department requires an employee to submit to a physical or psychological examination for initial employment or fitness for duty, the Department will provide the examination at no cost to the employee.

**ATTACHMENTS :**

Appendix A – IWIF Form 204A  
Appendix B – IWIF Form 204B  
Appendix C – IWIF Form 204C

**DOCUMENT DATES :**

*Amended Date:*

*Review Date:*

*Review Date:*

*Review Date:*

*Rescinds:*

*Order Written By: Chief Gregory L. Eyer*

*Order Edited and Approved By: Chief Gregory L. Eyer*

*Accreditation Standards Included in this Order*  
*CHAPTER 22*