

JACKSONVILLE POLICE DEPARTMENT

Policy: 4-8

Effective: 01-01-09

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LIGHT OR MODIFIED DUTY

PURPOSE: For the potential use with employees who are on leave due to occupational injury or illness and, when possible, could permit employees suffering from some non-duty injuries or illness to qualify for light duty or modified assignment until full recovery takes place.

POLICY: It is the policy of the Jacksonville Police Department to assist employees who have suffered injury or illness on-duty, and non-duty related injuries or illnesses, which has rendered them temporarily unable to perform all of the duties of their position by providing them light or modified duty assignments.

DEFINITIONS:

- I. **ESSENTIAL FUNCTIONS:** the fundamental duties and responsibilities of a position as stated in the job description, duties, or tasks fundamental to the performance of a particular assignment or position.
- II. **LIGHT DUTY:** work assigned during recovery from temporary work restrictions that prevent employees from performing one (1) or more essential functions of their job.
- III. **MODIFIED DUTY:** the modification, elimination, or reassignment of one (1) or more of the non-essential function(s) of the employee's job assignment that enables the employee to fulfill the fundamental responsibilities of his assignment.
- IV. **LIGHT DUTY OPPORTUNITIES:** opportunities for temporary work in any division that has been approved by the Chief of Police and may be suitable for an employee with temporary work restrictions.
- V. **MODIFIED DUTY OPPORTUNITIES:** opportunities that are only available when an employee's assignment can be modified to accommodate the temporary disability, and the employee is still able to substantially fulfill the responsibility of the assignment.
- VI. **LIGHT OR MODIFIED DUTY ASSIGNMENTS:** an assignment to a temporary light duty opportunity or temporary modified duty opportunity.
- VII. **ON-DUTY INJURY OR ILLNESS:** any injury or illness which results from working conditions that occurs within the scope of an employee's tour of duty.
- VIII. **OFF-DUTY INJURY OR ILLNESS:** any injury or illness that does not result from a working condition and does not occur within the employee's tour of duty.
- IX. **TEMPORARY SUPERVISOR:** the Supervisor the employee is assigned to during the period of light/modified duty.

PROCEDURES:

- I. **LIGHT DUTY OPPORTUNITIES OR ASSIGNMENTS**
 - A. Light or modified duty assignments will be offered to all employees' who are on extended sick leave due to an on-duty related injury or illness and certain non-duty injury or illness as determined by the Chief of Police.
 - B. Light or modified duty assignments will not extend beyond the actual time required by a

- medical professional for recuperation.
- C. The Chief of Police will approve light or modified duty positions within the Police Department.

II. LIGHT DUTY/MODIFIED DUTY ELIGIBILITY REQUIREMENTS

- A. An affected employee will report to the Division Commander through their chain of command to request light or modified duty.
- B. Medical Release:
1. A medical release must be obtained by the employee from their physician along with the City of Jacksonville Return to Work and/or Modified Duty Form and submit it to the Chief of Police through their chain of command who will then forward it to Human Resources; and
 2. The Chief of Police may also require a statement of fitness from the City physician as to the employee's ability to perform in a light/modified duty capacity. Prior to going to the City physician, the employee should obtain the City of Jacksonville Return to Work and/or Modified Duty Form from the Office of the Chief of Police for the physician to complete.
- C. Upon approval by the Chief of Police the request will be returned to the Division Commander:
1. Light/modified duty will not be assigned until permission is received from the Chief of Police; an employee may use available leave during this time; and
 2. The Division Commander will notify the employee and supervisor of the location and effective date of the light/modified duty.

III. LENGTH OF ASSIGNMENT

- A. Light/modified duty assignment is intended to only last the minimum amount of time necessary to enable an employee to return to full duty or a maximum of Ninety (90) calendar days, with a possible extension of ninety (90) calendar days if determined medically necessary for complete healing. A medical provider must approve this extension.
- B. Extensions must be requested by the employee supported by medical evidence as to the need for the extension. Otherwise, the employee will be expected to return to their normal assignment upon expiration of the light duty assignment:
1. A request for extension of light/modified duty must be made to the Division Commander at least five (5) working days prior to the expiration of the ninety (90) day period. This request must be accompanied by an updated medical evaluation;
 2. Light/modified duty is not intended to exceed a maximum one hundred eighty (180) calendar days either intermittently or consecutively. Exceptions may only be considered in extraordinary situations wherein there is an expected recovery and return to full duty within a reasonable additional amount of time to be determined by the Chief of Police.
 - a. Modified/light duty may not be assigned, reassigned or continued if work restrictions are/or become permanent;
 - b. Modified/light duty may not be assigned if the medical provider is unable to provide a date when the employee may be expected to return to full duty (after the maximum time limit has been reached).
- C. If an employee's work restrictions are determined to be permanent, or if no date to return to full duty can be reasonably predicted by the medical provider, the employee will no longer be eligible for the modified/light duty assignment. At this time, options (to include Workman's Comp, FMLA, and City paid leave benefits) should be discussed with the employee.

IV. LIGHT OR MODIFIED DUTY RESTRICTIONS

- A. Employee and the temporary Supervisor must understand and adhere to limits as set by the medical provider or City physician.
- B. While on light/modified duty assignments employees will report to their assignment in civilian

- clothes consistent with semi-business attire.
- C. Employees on modified/light duty will not wear a Class A, Class B, Class C, or Class D uniform.
 - D. Employees on modified/light duty will not operate a police unit.
 - E. Employees on modified/light duty will not work any off-duty or extra duty employment in which there is actual or potential use of law enforcement powers, until the attending physician releases the employee to full duty status.
 - F. Employees are required to notify their temporary supervisor of any changes of their status during modified/light duty with written verification from the medical provider of the change.
 - G. Failure to satisfactorily perform light/modified duty assignments will result in the revocation of the modified/light duty assignment.
 - H. Any misrepresentation, falsification, or other type of misconduct related to the employees medical condition, work restriction(s), or ability to return to full duty may subject the employee to disciplinary action, up to and including termination.

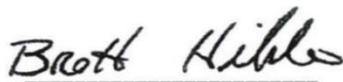
V. MODIFIED/LIGHT DUTY TRACKING RESPONSIBILITY

The Office of Professional Standards Lieutenant will be responsible for tracking employees who have been approved for light or modified duty assignments.

- A. The tracking will continue until the employee is returned to full duty.
- B. The tracking will provide accountability to ensure that modified/light duty assignments are utilized in accordance with this policy.

VI. PERMANENT DISABILITY

- A. When an employee suffers an injury, illness, or medical condition that renders them permanently disabled and unable to perform the essential functions of their job assignment, a review of all pertinent information and documentation will be conducted to determine if there are any reasonable accommodations that can be made.
- B. The review will be conducted by the Professional Standards Lieutenant, the employee's Shift Commander, and Division Commander. Any recommendations made will be forwarded to the Office of the Chief of Police, who will consult with the Director of Human Resources, for his final approval.



Brett C. Hibbs
Chief of Police