

Glendale Heights Police Department

GENERAL ORDER # 1005

SUBJECT: Sick Time, Injuries, and Medical Leave

ACTIVE DATE: 03-18-2019

RESCINDS: GO #1005, issued 08-08-2018

AUTHORITY: Douglas R. Flint, Chief of Police

RELATED DOCUMENTS: Sick/Late Report Form; Incident/First-Aid Report; Accident and Injury Review Packet; Physician Statement Work Status Report; Certification of Health Care Provider/Application for Family and Medical Leave; Public Employee Disability Act; Illinois Workers' Compensation Act; Illinois Workers' Occupational Diseases Act; Nursing Mothers in the Workplace Act; AFSCME Collective Bargaining Agreement; FOP Collective Bargaining Agreements – Sergeants & Patrol Officers; Village of Glendale Heights Personnel Policy

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.01 Purpose

The purpose of this order is to establish effective reporting, investigating, and processing procedures pertaining to all injuries, sick time, and requests for medical leave. It establishes the authority for temporary light duty assignments and procedures for granting temporary light duty to eligible members of the Department.

.02 CALEA Standards

22.1.2

.03 Policy

The Glendale Heights Police Department encourages all members to perform their duties in a safe and efficient manner. Should an accident or injury occur, the Department shall strive to assist in the member's rehabilitation, maintain maximum proficiency in all areas, and encourage the member's prompt return to duty. All accidents and injuries shall be thoroughly investigated in an effort to prevent or minimize future accidents and injuries. Eligible personnel shall be given a reasonable opportunity to work in temporary light duty assignments where available and consistent with this order.

.04 Definitions

The titles of “doctor” and “physician” have the same meaning and are used interchangeably throughout this order.

Family and Medical Leave Act (FMLA)—Public Law 103-3, enacted February 5, 1993, which grants family and temporary medical leave under certain circumstances.

Temporary Light Duty—An alternative work assignment designed to comply with the individual member's work restrictions (as specified in the doctor's Work Status Report), assigned to an injured member for a specific temporary period.

ORDER

.10 Utilization of Sick Time

A. Sick leave shall be allowed only in the case of necessity and actual sickness or disability of the member or illness or birth in the member's immediate family. In cases where bereavement leave extends beyond that which is permitted by contract or personnel policy, sick time may be authorized. Sick time may be utilized to meet dental and/or medical appointments, to take physical examinations, or other sickness prevention measures.

B. Members not able to attend their regularly scheduled tour of duty or court, shall contact the Records Section at least one (1) hour prior to the start of their shift. Those members whose sick time is addressed in a collective bargaining agreement must comply with the terms of that agreement.

1. The Records Technician shall immediately notify the Watch Commander, who shall determine if sufficient members exist on the watch affected by the sick call and ensure that minimum staffing requirements are met if a shortage has been created.

C. Upon returning to work after reporting sick, the member will complete a Sick/Late Reporting form and submit it to his/her immediate supervisor. The supervisor shall review and sign the form, and forward it to the member's Deputy Chief of Police.

D. Doctor's notes shall be provided in accordance with Village personnel policy and applicable collective bargaining agreements.

E. Members who report sick for more than three (3) consecutive days for a major illness or injury as defined by the Family and Medical Leave Act (FMLA) shall begin their FMLA pursuant to section .45 of this order.

F. The use of more than five (5) incidents of sick leave in any twelve (12) month period in the absence of a major personal or family illness, is deemed excessive. Consecutive days for one (1) illness shall be considered one (1) incident. Upon review of the member's sick time usage by the Chief of Police or his/her designee, the member may be required to obtain a doctor's note stating the nature of the illness every time the member calls in sick.

.15 On the Job Injuries and Job Related Illness

A. Whenever a member sustains an injury or illness arising out of the performance of his/her duties, the member is required to:

1. Report the injury or illness to the on-duty supervisor immediately; or, if not immediately known, within 24 hours of discovering of the work related injury or illness. Notification of an injury or illness to a fellow member who is not a part of supervisory or Command staff shall not be considered official notice to the Department and therefore will not be considered in compliance with this order.
2. Obtain necessary medical attention for the injury/illness. Amita Health Medical Group, 630 E. North Avenue, Carol Stream, IL 60188, phone: (630)458-5300, hours: 0800 – 20:30 hrs. Monday through Friday, 0900 - 1800 hrs. Saturday and Sunday, will conduct all non-emergency examinations unless otherwise instructed by the Chief of Police or his/her designee. In an emergency, medical attention will be provided by the GlenOaks Hospital emergency room.
3. As soon as practicable, submit the following paperwork to his/her immediate supervisor:
 - a. Memorandum providing a complete and accurate account of the events causing the injury/illness.
 - b. All required Village injury reports and insurance forms.
 - c. Copies of all paperwork received during medical treatment.

4. Minor injuries/illnesses that do not require medical attention, and which may or may not involve the use of first-aid techniques, shall be recorded using the Incident/First-Aid Report. The submission of a memorandum and Village insurance forms are not required when a member reports a minor injury or illness on this form.

B. Whenever a member sustains an injury or illness arising out of the performance of his/her duties, the member's supervisor shall:

1. If, after consulting with the sick/injured member and/or attending physician, the supervisor is informed the member cannot complete his/her shift, the supervisor shall relieve the member from duty and ensure adequate manpower levels are maintained.
2. Conduct an investigation into the circumstances surrounding the injury/illness and complete the Accident and Injury Review packet. The Accident and Injury Review packet does not have to be completed when the injury/illness is reported on an Incident/First-Aid Report. Complete an Accident and Injury Review packet form if the member was injured while operating or was a passenger in a Village vehicle.
3. Notify the Chief of Police, via the chain of command, for every injury/illness that requires medical attention, and forward all reports to the Chief of Police, via the chain of command, prior to the end of his/her tour of duty.
4. Review and forward the Incident/First-Aid Report form when minor injuries/illnesses occur that do not require medical attention (Accident and Injury Review packet not required).

C. Members sustaining on-the-job injuries that require absence from work shall submit a note from a designated Village physician stating the member can perform all duties as described in the current job description for the member's position, before returning to work. The note may also describe work restrictions.

D. All member benefits will continue to accumulate when the member is injured or becomes ill as a result of duties performed on the job.

E. Duration of leave shall be subject to the provisions and requirements set forth in the applicable state and federal laws in effect at the time the job related injury or illness occurred.

.20 Non-Job Related Injuries

A. Members sustaining injuries while off duty shall comply with the requirements of this order described in section .10 (Utilization of Sick Time).

B. To be authorized to return to work, members sustaining injuries requiring an absence of three (3) or more days from work shall submit a note from their physician stating the member can perform all duties as described in the current job description for the member's position.

.25 Temporary Light Duty

Temporary light duty assignments, when available, are for officers and other eligible Department members who, because of medically certified injury, illness or disability requiring treatment by a licensed health care provider, are temporarily unable to perform their regular assignments but who are capable of performing alternative duty assignments. Temporary light duty can provide members with an opportunity to remain productive while convalescing, as well as provide a work option for members who may otherwise risk the health and safety of themselves or others by remaining on duty when physically or mentally unfit for their regular assignment.

.30 Requests for Temporary Light Duty

A. Requests for temporary light duty assignments shall be submitted to the member's immediate supervisor. Requests must be accompanied by a statement of medical certification to support a requested

reassignment, which must be signed either by the treating physician or other licensed healthcare provider. The certificate must include an assessment of the nature and probable duration of the disability, prognosis for recovery, clearance to return to work, nature of work restrictions and an acknowledgment by the healthcare provider of familiarity with the temporary light duty assignment and the fact that the member can physically assume the duties involved.

B. The Department may require the member to submit to an independent medical examination by a healthcare provider of the Village's choosing, and at the Village's expense, any time it is necessary to determine fitness for duty, continued eligibility for temporary light duty status, or other related issues. The determination of the Village's physician shall take precedence over the member's physician.

C. The request for temporary light duty and the physician's statement shall be forwarded to the Chief of Police, who shall make a recommendation regarding the assignment to the Village Human Resources Department.

D. The Village Administrator shall have final approval of all temporary light duty work assignments. Consideration will be given to assignment availability and limits set by the physician when determining this authorization.

.35 Temporary Light Duty—General Provisions

A. Temporary light duty assignments for on-the-job injuries/illnesses may be denied when the injury appears to be permanent. Temporary light duty assignments resulting from a specific on-the-job injury/illness may not exceed twelve (12) months, unless authorized by the Village Administrator.

B. Temporary light duty assignments for non-job related injuries or illnesses may be denied when the member has no reasonable expectation of returning to regular duty within six months of the date of injury or illness, or the injury or illness appears to be permanent. In the case of non-job related injuries and illness, the Chief of Police or his/her designee, at the request of the member, may seek to identify temporary light duty work that can be performed by a member recuperating from an off-duty injury or illness. Temporary light duty assignments for non-job related injuries or illnesses shall not exceed six (6) months, unless authorized by the Village Administrator.

1. When more than one member requests a temporary light duty assignment, a member suffering a job related injury or illness shall be given preference over a member suffering a non-job related injury or illness.

C. Temporary light duty assignments are strictly temporary. After twelve (12) months temporary light duty for an on-the-job injury/illness, or six (6) months for an off-duty injury/illness, members on temporary light duty who are not capable of returning to their original duty assignment shall:

1. Present a request for extension of temporary light duty, with supporting documentation, to the Chief of Police or his/her designee; or
2. Pursue other options as provided by employment provisions of the Village of Glendale Heights or federal or state law.

D. Assignment to temporary light duty shall not affect a member's pay classification, pay increases, promotions, retirement benefits or other benefits.

E. A member on temporary light duty shall submit monthly status reports to the office of the Chief of Police. The status report shall consist of a doctor's note or a memorandum from the member. The Chief of Police or his/her designee shall forward the status report to the Village Human Resources Department.

F. Members on temporary light duty are prohibited from engaging in outside employment in which they may reasonably be expected to perform law enforcement functions for which they have been determined

physically or mentally unable to perform on behalf of the Department and that form the basis for their temporary light duty assignment.

G. Depending upon the nature and extent of the disability, an officer on temporary light duty may be prohibited or restricted from wearing the Departmental uniform, carrying the service weapon or otherwise limited in employing police powers as determined by the Chief of Police, so long as such limitation is consistent with the provisions of section .30 of this order.

H. Temporary light duty assignments shall not be made for disciplinary purposes.

I. Members may not refuse temporary light duty assignments that are supported by and consistent with the recommendations of an attending physician or certified healthcare provider.

J. This policy in no way affects the privileges of members under provisions of the Family and Medical Leave Act, Fair Labor Standards Act, Americans with Disabilities Act, or other federal or state law.

.40 Temporary Light Duty—Assignments

A. Temporary light duty is work necessary to accomplish the mission of the Department, as distinguished from a “make work” situation that provides no benefit or minimal benefit to the Village. Temporary light duty work assignments will not be made permanent.

B. Temporary light duty assignments may be changed at any time, within the restrictions of the treating physician, if deemed in the best interest of the member and/or the Department.

C. When determining shifts worked and days off, the Department will schedule temporary light duty in a manner that best benefits the Department.

D. Temporary light duty assignments may be drawn from a range of technical and administrative areas that include but are not limited to the following:

1. Administrative functions (e.g. report review, special projects, accreditation),
2. Clerical functions (e.g. filing),
3. Report taking (e.g. telephone reporting, follow-ups), or
4. Assignments outside the Department with another Village department.

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

F. In addition to considerations included in section .30 of this order, decisions on temporary light duty assignments shall be made based upon the availability of an appropriate assignment given the applicant’s knowledge, skills and abilities; availability of temporary light duty assignments; and the physical limitations imposed on the member.

G. Every effort shall be made to assign members to positions consistent with their rank and pay classification. However, where deemed appropriate, members may be assigned to positions designated for personnel of lower rank or pay classification. Members thus assigned shall:

1. Retain the privileges of their rank but shall answer to the supervisory member of the unit to which they are assigned with regard to work responsibilities and performance; and
2. Retain the pay classification and related benefits of the position held prior to their assignment to temporary light duty.

.45 Family and Medical Leave Act (FMLA)

A. To qualify for Family and Medical Leave, regular Department members must have been employed by the Village of Glendale Heights for at least twelve (12) months and have worked at least 1,250 hours during the 12-month period immediately preceding commencement of the leave.

B. All members who meet the applicable time-of-service requirements may be granted a total of twelve (12) weeks (480 hours) of paid and unpaid leave. The leave may consist of authorized benefit time combined with Family and Medical Leave, during any twelve (12) month period. Under this method, each time a member takes Family and Medical Leave, the remaining leave will consist of any balance of the twelve (12) weeks that has not been used during the immediately preceding twelve (12) months.

C. Family and Medical Leave may be taken on an intermittent basis (not consecutively) when medically necessary. Intermittent leave will be reviewed on an individual basis. The needs of the member and the affect of the request upon the operations of the Department will be considered when determining whether the request for intermittent leave is appropriate and authorized.

D. Members using Family and Medical Leave may, at their discretion, utilize sick leave, personal leave, vacation time, floating holidays, and compensatory time available to them. The twelve (12) month period will commence on the first day of leave granted under this Act. The Village may approve a Family and Medical Leave for the following reasons:

1. The birth of a member's child and to care for the child
2. The placement of a child with a member for adoption or foster care
3. To care for a spouse, child, or parent who has a serious health condition
4. A serious health condition that renders the member incapable of performing the functions of his/her job

E. The entitlement to leave for the birth or placement of a child for adoption or foster care will expire twelve (12) months from the date of birth or placement. If the Village employs both a member and his/her spouse, their combined time off may not exceed twelve (12) weeks (480 hours) during any 12-month period for the birth, adoption, or foster care of a child. However, each spouse is eligible for the full twelve (12) weeks (480 hours) within a 12-month period on an individual basis for other qualified reasons.

F. A member intending to take Family and Medical Leave because of an expected birth or child placement, or because of a planned medical treatment, must submit to the Chief of Police a Certification of Health Care Provider/Application for Family and Medical Leave at least thirty (30) days before the leave is to begin. If the need for a Family and Medical Leave is unforeseeable, the member must notify the Chief of Police as soon as the need arises and the Chief of Police will consider the request as soon as practicable.

G. A Family and Medical Leave related to a serious health condition must also be supported by a Certification of Health Care Provider Application completed by the member's doctor or the doctor of the member's spouse, child, or parent, as appropriate. A copy of this certification must be provided to the Chief of Police at the time of filing the application for leave, or if otherwise impractical, within fifteen (15) days of the date the application was filed. If the member fails to satisfy the medical certification requirement, the Chief of Police may deny the Family and Medical Leave request until certification is provided.

H. The Chief of Police may require subsequent written medical recertification if the Chief of Police has reason to question the appropriateness of the leave or its duration. In lieu of a Certification of Health Care Provider Application, a letter from the member's doctor may be accepted, provided the letter includes the following information:

1. The date the serious health condition commenced

2. The probable duration of the condition
3. The appropriate medical facts regarding the condition
4. A statement that the member is needed to care for a child, spouse, or parent
5. An estimate of the amount of time the member is needed to care for the child, spouse, or parent

I. If a member wishes to return to work prior to the expiration of a Family and Medical Leave, notification shall be given to the Chief of Police at least five (5) working days in advance of the planned return.

J. In all cases, a member requesting leave under FMLA must submit a Certification of Health Care Provider/Application for Family and Medical Leave. These forms may be obtained from the Chief of Police or the Village's Human Resource Department.

.50 Pregnancy

A. The Department recognizes pregnancy as a unique, temporary physical condition, which may limit a member's ability to perform all of the duties of her assigned job classification. Members shall notify the Chief of Police, in writing, as soon as they learn of their pregnancy. The member shall also attach to the notification a written statement from her physician that contains:

1. Verification that the member is pregnant;
2. Any requirements or restrictions placed on the member's physical activity that would prevent her from performing any routine duties as defined by her job description; and
3. The date of her next doctor appointment.

B. A sworn officer who is pregnant but capable of performing all routine police duties, shall have the option of continuing in her regular assignment or accepting an administrative position, which shall be defined and/or created by the Chief of Police or his/her designee subject to authorization of the Village Administrator.

C. The member may be assigned to various positions during her pregnancy depending upon the needs of the Department. Depending on the assignment, the member may be required to work rotating shifts and/or rotating days off. The member shall be entitled to all benefits afforded to full-time members.

D. To ensure there is no risk to the member or her unborn child, the member shall comply with the following requirements:

1. Pregnant members shall notify the Chief of Police each time they visit their physician due to the pregnancy.
2. After each visit, the member shall obtain a physician's statement containing the following information:
 - a. Verification the member is able to perform all duties defined in her job description;
 - b. If the physician states the member cannot perform all her duties, the physician must specify what duties the member can perform; and
 - c. The member's next scheduled appointment date.
3. When the member's doctor determines the member can no longer perform her duties as defined by her job description, then the temporary light duty provisions in sections .25-40 above shall apply.

E. After a member gives birth to her child, she must obtain written authorization from her doctor and/or the Village's physician, to return to regular duty. Upon receiving such authorization, the member must notify her Deputy Chief of Police within 24 hours and be prepared to return to work as assigned, or advise she will be remaining on previously authorized leave pursuant to the FMLA.

.55 Maternity Room

A. The Department will designate a private room for female members with lactation needs. The room shall not be a bathroom. Female members with lactation needs may utilize this room for breast pumping during their tour of duty, with the following exceptions:

1. All such activity shall be conducted within the member's lunch period:
 - a. Thirty (30) minutes for sworn personnel
 - b. Sixty (60) minutes for non-sworn personnel
2. Members may break their lunch times into fifteen-minute intervals for this activity, provided their supervisor has approved all lunch periods to assure they do not overlap. Selection time is based on seniority.
3. Any break time used for this activity not within a designated lunch period shall be unpaid, requiring the member to utilize compensatory time. These breaks must not unduly disrupt operations and require a supervisor's approval prior to the break.
4. Members may not take time as unpaid if they have accumulated compensatory or personal time. This activity does not qualify for sick time usage.
5. All time taken must be taken in quarter hour increments, or in accordance with the member's current collective bargaining agreement.

.60 Doctor's/Physician's Notes, Certifications, and Reports

For the purpose of this order, any references to doctor's notes, certifications, or reports contained herein shall mean the original version of the document authored and signed by the attending or releasing physician. Facsimile and carbon copies will be accepted; however, the facsimile or carbon copy must originate from the office, clinic, or hospital of the attending or releasing physician. Any other copies of these documents will not be accepted unless authorized by the Chief of Police or designee.

.65 Miscellaneous Issues

A. Issues not addressed in this directive shall be subject to the provisions and requirements set forth in the following:

1. Public Employee Disability Act, 5 ILCS 345/1 *et seq.*
2. Illinois Workers' Compensation Act, 820 ILCS 305/1 *et seq.*
3. Illinois Workers' Occupational Diseases Act, 820 ILCS 310/1 *et seq.*
4. AFSCME Local 3768 Collective Bargaining Agreement
5. FOP Collective Bargaining Agreements – Sergeants & Patrol Officers
6. Village of Glendale Heights Personnel Policy