

## CAMBRIDGE POLICE DEPARTMENT

**Title:** *MEDICAL DUTY STATUS*

**Procedure: 3.103**

**Date Issued:** **March 1, 2009**

**Revised:**

**PURPOSE:**

To establish a policy that will provide the Cambridge Police Department employees with an effective and efficient process for identifying physical or mental impairments that may restrict them from performing the employee's essential job functions.

**OBJECTIVES:**

1. To delineate review responsibilities, fitness categories, and procedures that will enable the Operations Lieutenant to determine the appropriate duty status of employees with temporary or permanent medical conditions.
2. To permit sworn employees to retain their CPD issued firearm, badge, identification card and the Maryland Police & Correctional Training Commissions police officer certification card while on restricted duty or no duty status, unless otherwise determined by the Operations Lieutenant.
3. To establish a policy regarding sworn personnel carrying a firearm while on restricted duty status or no duty status.
4. To establish a means for detecting and assessing a reported medical condition that may prevent an employee from performing the employee's essential job functions.
5. To protect the interest of the Cambridge Police Department and its employees through the proper management of a medical duty status policy.
6. To ensure that Cambridge Police Department employees maintain proficiency and certification of all CPD issued or

approved firearms during an identified medical duty status.

**DEFINITIONS:**

1. Full Duty – An employee is able to perform all required essential job functions with or without accommodation.
2. Restricted Duty – (**Presently not offered to employees effective date of this policy**) The employee is not able to perform all of the essential job functions of the employee's position with or without accommodation, and the incapacitation is determined to be of a temporary nature or permanent impairment.

The employee must present no unreasonable risk to other employees, the public, or themselves and be capable of performing designated work tasks within the workplace with specific work restrictions.

An employee in a restricted duty status may be assigned, on a temporary basis, to a position that has assigned duties and responsibilities consistent with the employee's medical restrictions. The assignment will be made by the Operations Lieutenant. Upon returning to full duty, the employee will, in most cases, return to the employee's regular assignment.

3. No Duty – An employee has sustained an injury, contracted an illness, or developed a mental or physical problem, which causes a temporary or permanent impairment in the employee's ability to perform the employee's essential job function. The employee is out of the workplace on paid or unpaid

sick/medical/FMLA (Family Medical Leave Act) leave.

**POLICY:**

1. A Cambridge Police Department employee must be physically and mentally capable of performing all of the employee's essential job functions. Therefore, an employee who is subject to a physical or mental impairment, which restricts the employee's ability to perform the employee's essential job functions, may be relieved of full duty requirements.

2. In formulation of this policy, the Cambridge Police Department acknowledges two interdependent responsibilities as follows:

The Cambridge Police Department, as the employer, has a responsibility to provide support to an ill or injured employee during the employee's period of recovery and rehabilitation.

Every Cambridge Police Department employee has responsibility to give forth the employee's best effort to continue to work when able, and to return to work as soon as practical after using sick leave according to the Cambridge Police Department/City of Cambridge sick leave policy.

3. In order for sworn personnel who are on restricted duty or no duty status to carry a Cambridge Police Department issued or approved firearm, they will:

- a. Be approved by the Operations Lieutenant.
- b. Only carry the firearm approved by the department.
- c. Meet the firearm qualification requirements and maintain firearms certification.

**RESPONSIBILITIES:**

1. The Operations Lieutenant will have the primary responsibility for administering this policy, including but not limited to, determining the applicable fitness category.

2. The criterion for determining the applicable fitness category will be the employee's medical assessment and determination of the employee's ability to perform the employee's essential job function through a physician or medical review board.

3. The Operations Lieutenant is responsible to see that the employee meets firearm certification standards and all state mandated training requirements.

**RESTRICTIONS:**

1. A sworn employee on restricted duty status will not be placed in hazardous assignments such as patrol duty/emergency details.

2. Factors such as sworn employee's disability, ability to handle a firearm, operate a police vehicle, make an arrest, deal with the public, etc. will be considered by the Operations Lieutenant prior to determining what restrictions will apply to a sworn employee.

3. Employees on restricted duty are prohibited from using Cambridge Police Department vehicles on/off duty.

4. Employees on a no duty status will not work off duty secondary or extra duty overtime employment.

5. Employees on a restricted duty status may work off duty secondary or extra duty overtime employment, however the Operations Lieutenant will determine limitations.

**NOTIFICATION:**

1. Employees on restricted or no duty status will be notified by a personal order signed by the Chief of Police or his designee. This notification will address specific conditions and restrictions including, but not limited to, the use of a Cambridge Police Department vehicle and a Cambridge Police Department authorized duty/off duty weapon.

2. The Operations Lieutenant will determine the use of the sworn employee's

departmental weapon based on the reported physical or mental illness. Should he determine to suspend the right to carry the departmental weapon, the Operations Lieutenant shall notify the Chief of Police in writing of the date and time the action was taken and the location of the firearm.

3. If during the course of the physical or mental illness, the employee fails to complete the MPCTC training/firearm requirements, the Operations Lieutenant shall notify the Chief of Police, who will determine if the sworn employee shall have his/her police powers suspended. If the employees police powers are suspended, they will be notified in writing and be required to turn into the Operations Lieutenant, the departmental weapon, badge, police officer certification card and Cambridge Police Department identification card. These items will be returned once the employee returns to full duty status.

4. Prior to a sworn employee's return to full duty status, the Operations Lieutenant will contact the Administrative Lieutenant to ascertain if any training is required prior to the employee's return to duty.