

**University of Chicago Police Department
GENERAL ORDER**

<i>Effective Date</i> May 27, 2015		<i>Number</i> GO 1018
<i>Subject:</i> Alternate/Modified Duty for Sworn Personnel Injured On-Duty		
<i>References:</i> PBPA #185 Collective Bargaining Agreement.		
<i>Reevaluation Date</i> Annually		<i>No. Pages</i> 4
<i>Amends</i>		<i>Rescinds:</i>
<i>Approved By:</i> Marlon C. Lynch, Associate Vice President and Chief of Police	Signature: Original signed document of file in Accreditation Office	

1018.1 PURPOSE

The purpose of this order is to establish policy and procedures to provide temporary alternate/modified duty assignments to employees who are injured on-duty and cannot immediately return to regular full duty status, but are able to use some of their knowledge, skills and abilities. For Alternate Duty for Pregnancy see General Order 1017.

1018.2 DEFINITIONS:

Officer: Any sworn personnel of any rank.

Temporary alternate/modified duty status: A temporary condition of an employee due to on-duty injury where the employee is restricted from performing the essential duties required by the job description.

1018.3 TEMPORARY ALTERNATE/MODIFIED DUTY ASSIGNMENTS

- A. When an employee is temporarily prevented from performing their full array of duties, a temporary alternate/modified duty assignment may be in the best interest of the employee and the Department.
1. An assignment to alternate or modified duty is not a matter of right; rather it is a means of keeping an employee productively employed with viable tasks consistent with a particular disability.
 2. Nothing in this order shall prevent management from making temporary assignments that are in the best interest of the Department and consistent with collective bargaining agreements.

- B. A sworn employee who has a temporary disability resulting from an on-duty injury that does not require sick leave, but has been restricted in the performance of their regular duties by competent medical authority, may be considered for assignment to alternate/modified duty.
1. Requests for temporary alternate/modified duty assignments will be reviewed by the employee's deputy chief, and are subject to authorization by the Assistant Vice President and Assistant Chief of Police.
 2. Temporary alternate/modified duty assignments are intended for injury when the employee will return to full work duties at a known or reasonable expected date.
 - a. The Department does not have permanent alternate/modified duty assignments.
 - b. Decisions on temporary alternate/modified duty assignments will be made based upon the availability of an appropriate assignment given the employee's knowledge, skills, and abilities, and the physical limitations imposed on the employee.
 - c. Subject to operational considerations including budgetary constraints, the University may modify an employee's duty assignments. Such modifications may be hourly, weekly, or monthly in duration, and are at the sole non-grievable discretion of the University.
 - d. Each alternate/modified duty assignment is made on a case-by-case basis, and assignments shall not set a precedent for other circumstances.
 - e. An employee's refusal to accept a modified assignment may be construed as a refusal of work, after which the University may post their position.
- C. Temporary alternate/modified duty assignments may be drawn from a range of technical and administrative areas that include, but are not limited to the following:
1. Desk assignments.
 2. Administrative functions.
 3. Clerical functions.
 4. Background investigations.
- D. If it is determined that the employee is unlikely to achieve a level of medical improvement that would enable them to perform the essential job functions with or

without reasonable accommodation of their regular duty assignment or position, the temporary alternate/modified duty assignment shall be discontinued.

1018.4 ALTERNATE/MODIFIED DUTY ASSIGNMENT REQUIREMENTS

- A. An employee who has sustained an on-duty injury, and the treating physician has restricted the performance of their normal duties, the employee shall obtain and submit to the Deputy Chief through the chain of command, medical documentation to support a request for reassignment. The documentation shall include an assessment of the medical condition, its probable duration, prognosis for recovery, and the nature of the restrictions. The employee's current job description will be provided to the physician by the employee and shall be used to determine the specific duties restricted.
- B. The Department may require the employee to submit to an independent medical examination by a health care provider of the Department's choice, at the Department's expense.
- C. Prior to returning to full duty status, the employee must provide a statement signed by their treating physician indicating they are medically cleared to perform all of the basic and essential job functions of their assignment without restriction or limitation. The Department may require the employee to submit to an independent fitness-for-duty examination by a health care provider of the Department's choice, at the Department's expense.
- D. Probationary employees who are assigned to a temporary alternate/modified duty assignment shall have their probation extended by a period of time equal to the assignment to temporary alternate/modified duty or long-term medical leave of absence.

1018.5 ALTERNATE/MODIFIED DUTY ASSIGNMENT RESTRICTIONS

- A. There will be no restrictions on, or denial of, pay raises, promotions or retirement benefits while assigned to alternate/modified duty.
- B. Ordinarily, temporary alternate/modified duty assignments will not exceed a ninety (90) day duration. The Chief of Police or their designee may grant an extension after consideration on a case-by-case basis.
- C. Employees on alternate/modified duty assignment may not engage in off-duty employment in which they may reasonably be expected to perform functions for which they have been determined unable to perform on behalf of the Department. All outside employment by an employee on alternate/modified duty assignment must be reported in writing to, and approved by, the Assistant Vice President and Assistant Chief of Police. Notification must be made within one business day of submitting a request for alternate/modified duty.

- D. The Assistant Vice President and Assistant Chief of Police, or designee, approving a temporary alternate/modified duty assignment will provide the employee with specific guidelines covering, but which may not be limited to:
1. Participation in field duties, including law enforcement action.
 2. Carrying firearms and/or other weapons on duty.
 3. Duty attire (uniform vs. business attire).
 4. Driving Department vehicles.
 5. Having contact with suspects or detainees in the building.
 6. Working secondary employment.
 7. Assigned shift, workdays and work hours. The employee may be required to work rotating shifts and/or rotating days off. The employee shall be entitled to all previously scheduled vacation days.
 8. Training and court appearance restrictions

1018.6 SCOPE OF ALTERNATE/MODIFIED DUTY STATUS

Under exceptional circumstances, the Associate Vice President and Chief of Police may, at their discretion, authorize alternate/modified duty for sworn employees who were not injured on-duty, but who are otherwise restricted by injury or illness from full-duty status.