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| City of Lawrence Fire Department  General Order | | | |
|  | Leave Management | Date: | January 11, 1990 |
| Title: Employee Sick Leave – FIRE & EMS | Revised: | September 2, 2010  June 7, 2012  June 5, 2014  January 8, 2015  February 2, 2017  April 6, 2017  September 16, 2020  January 27, 2022  January 9, 2025 |
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| PURPOSE: | To establish departmental policy regarding Fire/EMS reporting off sick or injured and for returning to duty after sickness or injury. It also establishes a policy and procedure for monitoring employees on sick leave status. |
| DEFINITIONS: | 1. Sick/Illness-is a result of an illness or injury, whether physical, emotional, or psychological, of the employee or any situation where an employee's presence might jeopardize the health of fellow workers or the required absence of the employee to attend to a member of his or her immediate family whose illness compels the presence of such employee as outlined by the Family Medical Leave Act or other Federal, State, and Local laws. 2. Sick Leave-any absence from duty that occurs because of illness or injury. On Duty Illness-any illness that is contracted as a direct result of an on-duty exposure. 3. Injured-any injury that happens on or off duty that affects work performance. 4. On-Duty Injury-any injury that happens on duty as a direct result of a job function. 5. Off-Duty Injury-any injury that happens off duty and affects job function. 6. Family Medical Leave Act-Federal law that details when an employee may take time off from his/her work due to family health issues. 7. Limited / Modified Duty-is duty other than regular assigned duty and is assigned to personnel by the Fire Chief or his/her designee because of a physical, emotional, or mental condition that temporarily prevents the performance of regular duties. |
| RATIONALE: | To allow for reasonable and consistent management of health issues in accordance with Federal, State, and Local laws, and in accord with NFPA 1001, 1500, and 1582 for maintaining employee health and safety. |
| ALLOTMENT: | 1. Any employee of the department may be granted, or placed on, sick leave by his/her Battalion Chief for the purpose of recovery and healing. Although an illness or injury may occur while an employee is on duty, it does not necessarily follow that the illness or injury was job-related. Worker's compensation determines job-relatedness and grants or denies worker's compensation benefits according to state law. 2. In the event that sick leave exceeds one duty day (24hours) for the operations division personnel or three consecutive workdays (24 or 30 hours depending on the personnel's shift format) for administrative personnel, the employee may be required to submit a doctor's medical release prior to returning to duty. 3. If a pattern of sick day requests should develop such as to raise a good cause concern over the employee's fitness for duty, the Fire Chief may direct that a physician's excuse for illness/injury be obtained for any sick leave regardless of the length of the leave, and/or a medical and/or psychological examination and prognosis be obtained at the employer's expense. 4. Sick leave taken shall be deducted from the total medical leave allowed per year. Sick days taken by the employee during the calendar year pursuant to Federal, State, and Local laws, shall count against sick time unless it is determined to be from an on duty related injury or illness. 5. If an illness or injury is determined to be job related, the department's worker's compensation insurer shall pay for the resulting medical bills subject to Federal, State, and Local laws. 6. Each incident of illness or injury occurring while on duty shall be examined by the Department Health and Safety Officer to determine whether it was due to infractions of general orders and/or safety rules and regulations. 7. If an employee is required to care for an ill, injured, or pregnant member of the immediate family, the department will follow all FMLA guidelines in accordance with City ordinance in regards to allocating sick leave. 8. The City of Lawrence Fire Department will follow FMLA and City Leave policies for paternity leave. 9. Employees should endeavor to schedule medical and dental appointments on their off-duty time. |
| REGULATIONS: | 1. General 2. Any employee who becomes injured, ill, or impaired whether physically, emotionally, or psychologically during a tour of duty to the degree that he/she is unable to perform any function of their job, will advise his/her immediate supervisor and may be excused from the remainder of the tour of duty. 3. All illnesses, emotional, or psychological impairments, or injuries shall be reported to the Fire Chief, or designee, immediately and then may notify Dispatch to broadcast a Code 700, as appropriate. 4. All appropriate paperwork will be fully and legibly completed by the injured/ill employee and supervisor. The paperwork will be forwarded to the Chiefs Office no later than 0830 hours after the completion of the employee's shift. Needle stick injuries, and possible infectious disease exposures, require additional reporting relating to Infectious Control. The Health & Safety Officer must be notified as soon as possible after the accident to verify procedure and comply with Federal, State, and Local laws. The employee or supervisor shall complete all department required pertinent paperwork that is contained in the fire department medical packet. 5. Any operations personnel who have a temporary illness or incapacity and are unable to report for duty will personally notify their Station Officer who will then contact and inform the Shift Battalion Chief as early as possible, but no later than 0655 hours. Administrative personnel shall report to the Chief or his/her designee as early as possible, but no later than 0700 hours. 6. The Battalion Chief receiving a report of an on-duty illness/injury may make the necessary notifications to the Chiefs Office, Treatment of all injuries shall not be denied or delayed by anyone employed by the City of Lawrence. If transport to a treatment facility is necessary, it will be done by an appropriate Lawrence Fire Department vehicle or by ambulance. No personal vehicles shall be used to transport an injured employee to any Emergency Department treatment facility unless directed otherwise by a Chief Officer. Note-if ambulance transport is required, it must be to an appropriate hospital emergency department unless authorized by a Chief Officer to transport to another location such as Occupational Health. 7. Employees absent from duty for sick leave must be at home, a medical care facility, or other exceptions as allowed by the Chief. If not at any of the foregoing, employees must notify the Battalion Chief or Chief's office of their whereabouts. 8. The Battalion Chief and/or Chiefs office may contact and/or visit the employee at home at some point during the duty day to determine the employee's condition and/or status. 9. Employees not at any of the locations described above at any point in a sick day must justify their absence. Employees unable to justify their absence are subject to disciplinary action and progressive discipline shall apply. 10. Employees off duty for sickness or illness shall not participate in part time employment prior to their release to full duty without permission from the Fire Chief. Employees found working at their part time employment without permission of the Fire Chief will be subject to disciplinary action. 11. Upon the third separate absence in a calendar year, the employee may be counseled by his immediate supervisor and informed of his/her status regarding absences. This counseling consist of talking to the employee about how many hours they have left in sick time, and to see if there is anything the department can do to help the employee to reduce future occurrences. After the fourth occurrence and any other subsequent occurrences, the employee may be required to provide a medical release from their personal physician Also the employee may be subject to taking the Work Performance Exam and/or being cleared by Public Safety Medical Services (PSMS) prior to their release back to duty. 12. Return to Work 13. The employee is responsible for assuring that all forms or documents are completed before his/her return to work and given to the Fire Chief or his designee prior to returning to work. 14. If the employee has been off duty for three or more shifts, five or more for Administrative personnel, and has been properly released for duty by Occupational Health and/or his/her personal physician‑ 15. He/she may receive a Fit for Duty physical by the Department's physician. This exam and the opinion of the Department's Physician is the final opinion for whether an employee is fit for duty. 16. He/she may be ordered to take and pass the Department's Work Performance Exam. It is up to the Fire Chief or his designee, typically the Health and Safety Chief, if the WPE is to be administered. 17. Limited Duty 18. Any employee whose temporary physical or mental condition is such that he/she is unable to perform all Operation Division duties, but in the opinion of the department physician may perform administrative or staff duties under certain specified restrictions, will be placed on Limited Duty status, if possible and placed on an Administrative work schedule. 19. Although every effort shall be made to provide limited duty, limited duty cannot be guaranteed, and is dependent upon department workload, special projects, and the number of individuals on limited duty. Assignment shall be at the discretion of the Fire Chief, provided that, limited duty is available and a physician has released an individual for limited duty. 20. Limited duty is assigned from 0800-1600hrs Monday through Friday. These hours may be altered with the approval of the Chief’s Office. 21. If an employee needs time off during limited duty they may use any approved leave time as needed. This time must be first approved by the Chief’s Office. 22. If an employee has been granted Limited Duty status the employee will be assigned to a job that the employee is capable of performing based on the limitations specified in the medical statement and upon the availability of such assignment as discussed above. Personnel on limited duty shall be under the supervision of the Deputy Chief of Administration or other Chief Officers as assigned by the Deputy Chief of Administration 23. Limited duty personnel shall perform assignments primarily at headquarters and must be in uniform or a uniform appropriate for the assigned duty. Examples of limited duty assignments include, but are not limited to: 24. Clerical work 25. Taking inventory 26. Answering telephone 27. Messenger service 28. Public education and speaking assignments 29. PR Details 30. Inspections and preplanning 31. Fire or EMS Instruction 32. Modified Duty     1. Any employee whose has suffered a line of duty injury may be placed on modified duty. Modified duty may be available for off duty injuries as well, but on duty injuries shall be given priority.     2. Although every effort shall be made to provide modified duty, modified duty cannot be guaranteed, and is dependent upon department workload, special projects, and the number of individuals on modified duty. Assignment shall be at the discretion of the Fire Chief or their designee, provided that, modified duty is available, and a physician has released an individual for modified/limited duty. Additional factors include, but not limited to, when considering modified duty include how long the individual will be on modified duty, how severe the injury is, the individual’s compliance of therapy and MD appointments, number of people on modified duty, work load, and needs of the department.Modified duty is assigned from 0800-0800hrs on the employees shift day. For tracking purposes the employee will be assigned to Administration from 0800-1600hrs during the week. After 1600hrs during the week, on weekends, and on holidays the employee shall report to the Battalion Chief from 1600-0800hrs for assignment. These hours may be altered by the Chief’s Office as needed.     3. If an employee needs time off during modified duty they may use any approved leave time as needed. This time must be first approved by the Deputy Chief of Administration or Battalion Chief..     4. If an employee has been granted Modified Duty status the employee will be assigned to a job that the employee is capable of performing based on the limitations specified in the medical statement and upon the availability of such assignment as discussed above. Personnel on modified duty shall be under the supervision of the Deputy Chief of Administration or other Chief Officers as assigned by the Deputy Chief of Administration during administrative hours, unless acting as the Primary Battalion Chief. See letter J. All others will be supervised by the Battalion all other hours. The Chief’s office shall have ultimate authority of modified duty personnel.     5. Modified duty personnel shall perform assignments primarily at headquarters, unless acting as the Battalion Aid or Battalion Chief, and must be in uniform or a uniform appropriate for the assigned duty. Examples of Modified duty assignments include, but are not limited to:        1. Clerical work.        2. Taking inventory.        3. Answering telephone.        4. Messenger service.        5. Public education and speaking assignments.        6. PR Details        7. Inspections and preplanning.        8. Fire or EMS Instruction.        9. Battalion aid – The employee is only allowed to do administrative work for the Battalion. This includes helping with paperwork, staffing sheets, ESO, and First Due. They also may run the command board and assist with radio communications on the scene, but may not function in ANY capacity as operational personnel. If modified duty personnel are caught in operational assignments they may be subject to disciplinary action as well as the supervisor assigning them the assignment.        10. Battalion Chief – Merit Line Officers, Current Battalion Chiefs and Administrative Staff. When Modified Duty Officers, Battalions, or Administrative Staff are filling the role of the Battalion Chief an additional Merit officer shall be assigned to them to completely fulfill the operational functions of the Battalion Vehicle. These Officers may engage in operational roles as needed to assist the Modified Battalion Chief during fireground operations. Additionally, the Merit Officer will be receiving Ride-out pay as a Battalion.     6. Modified duty will be reviewed every 30 days. After 30 days, modified duty may be extended up to 14 days. The employee also may be assigned limited duty hours. Modified Duty is usually only available the last 45 days prior to being released.     7. Employees will not be compensated for Medical or Physical Therapy appointments off duty. Physical therapy can be scheduled during modified duty hours, but the appointments should not be delayed due to waiting for a shift day. If an employee is delaying treatment of their physical injury they may be assigned limited duty. Employees taking leave during modified duty days must use the appropriate leave from their bank as needed.     8. Modified duty shall not be counted towards department staffing levels. 33. Case Management:     1. If an employee has been off for 6 months and is not expected to return to full duty within 30 days the employee may be sent to Public Safety Medical for Case Management. Case Management is not meant as a punitive measure, but to insure that the employee is progressing in their treatment and recovery. Case Management enables the DC of Health and Safety to communicate with one physician (PSM) instead of several different employee physicians. Case Management also is beneficial to the employee as PSM understands what the demands of the job are and this can be better relayed from physician to physician. It is the intent of the City of Lawrence Fire Department to get all employees back to work as long as:        1. The employee is making progressive improvement,        2. There is an expected full recovery of the employee, and        3. The employee is following guidelines of this policy and case management. 34. Time Keeping – It is up to the Chief’s Office to determine if the employee is to remain on a 24 hour schedule or 40 hour workweek. Some guidelines are listed below:     1. Off Duty Illness/Injuries:        1. If the employee has a significant off duty injury and:           1. The employee has been off for more than 30 days, and           2. The employee plans on coming back to light Duty when released, or           3. There is a possibility of using the Hardship Leave Policy        2. The employee may be placed on a 40 hour workweek schedule for timecard purposes. However, if the employee has no intent of using limited duty prior to being released the employee may stay on a 24 hour schedule for using leave time.     2. On Duty Illness/Injury        1. If the employee has a significant on duty injury, the employee may be placed on a 40 hour workweek schedule for timecard purposes. However, if the employee is expected to be off less than 10 full shifts the employee may remain on a 24 hour schedule if modified duty is available.        2. All On Duty Illness/Injuries are assigned at the discretion of the Chief’s Office (see modified duty above)     3. FMLA Leave at the Employee’s Request for a Non Illness/Injury        1. The Employee may be kept on a 24hr schedule unless it is anticipated that Hardship Leave will be used. For example, if an employee is taking time off for routine care of a newborn, the employee may be kept on a 24 hour schedule. However, if the employee has to care for a family member that has a significant illness/injury (and hardship leave may be used), then the employee may be placed on a 40hr workweek schedule as per the Hardship Leave Policy.     4. Placing an Employee on Modified Duty or Light Duty is a benefit and not a right. Modified Duty and Light Duty assignments may be assigned or rejected based on the needs of the department and situation. |
| RESPONSIBILITIES: | 1. Each employee is responsible for: 2. Monitoring his/her own condition and reporting for duty or continuing duty only if in adequate condition to do so. 3. Notification according to regulations. 4. Keeping Chief's office and/or Battalion Chief informed of condition and whereabouts. 5. Assuring completion of forms and (electronic or hard copy) logbooks. 6. Obtaining and submitting medical insurance forms, if applicable. 7. It should be recognized-that infectious or communicable diseases may present serious dangers to co-workers as well as to the public. To the extent that an employee has such a disease in an infectious or communicable state, the employee should notify his/her supervisor or the Chief's office. 8. Assuring that all medical forms, fit for duty exams, and return to duty agility testing are completed and given to the Fire Chief, or his designee, prior to returning to work. 9. Station Officers are responsible for: 10. Operations personnel compliance. 11. Enforcing this general order and shall advise the Battalion Chief when dealing with subordinates suspected of abusing the sick leave policy. Examples of possible abuse include, but are not limited to: More than three (3) occurrences of sick leave within a 12 month period; being denied a paid leave day but then marking off sick on that day; patterns of marking off on particular days of the week, or on the shift day before or after a Kelly day, vacation day or holiday. 12. Completing a leave request for the sick employee. 13. Recording the sick day in First Due or other electronic mediums as specified by the City and/or the Department. 14. Assuring that all medical forms, fit for duty exams, and return to duty agility testing is completed prior to returning to work. 15. Battalion Chiefs are responsible for: 16. Operations personnel compliance. 17. Battalion Chiefs will be responsible for monitoring the status of personnel on sick leave, focusing attention on possible policy abuse. If the Battalion Chief suspects there is policy abuse, they may use progressive discipline as needed. The Deputy Chief of Administration or their designee can be contacted for assistance in this matter such as EAP or Fit for Duty testing. 18. Notifying appropriate Battalion Chief when receiving a sick call from a member of another shift. 19. Notifying appropriate supervisor of assigned personnel's absence. 20. Recording absence on daily record. 21. Assuring that all medical forms, fit for duty exams, and return to duty agility testing is completed before returning to work. 22. Chief's office and his/her designee are responsible for: 23. Filing proper paperwork into files. 24. Assist Battalion Chiefs with completion of appropriate paperwork. 25. Releasing assigned personnel from duty as appropriate. 26. Releasing assigned personnel back to regular duty as appropriate. |
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By Order Of,

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Robert Wallace, Chief

City of Lawrence Fire Department