

**NEW SMYRNA BEACH POLICE DEPARTMENT
NEW SMYRNA BEACH, FLORIDA**

POLICY AND PROCEDURE DIRECTIVE

TITLE: **LIMITED DUTY PROTOCOL**

NUMBER: **1-7**

EFFECTIVE: **6/12**

REFERENCE:

RESCINDS/ AMENDS: **2-4-12**

REVISED: **1/22**

ATTACHMENTS:

A. PURPOSE

This written directive will establish procedures for temporary re-assignments for short or long-term disabilities or for purposes of discipline or administrative investigations.

This procedure is designed to supplement, not to supplant, the policies, procedures, or labor agreements between the city, the employees, or current bargaining agreements.

B. POLICY

This Directive applies to all members of the department. The Chief of Police may at their sole discretion, place a member, who is temporarily unable to perform their regular duties, but who is capable of performing alternative duty assignments, in a temporary limited duty assignment.

Members who are the subject of an internal or criminal investigation or when a limited duty transfer has been deemed by the Chief of Police to be in the best interest of the member or the department, the member will be notified in writing of the temporary transfer from regular duty to limited duty status.

While assigned to limited duty, the Chief of Police may place restrictions on the member. The restrictions may include but are not limited to:

- Temporarily suspending the privileges relative to take home vehicles
- Reporting for duty in uniform
- Carrying of firearms and weapons
- The authority to carry departmental badges and identification cards

Restrictions will be made on a case-by-case basis. Injuries, illnesses, pregnancy, temporarily disabled, or while a member is under investigation are just some of the circumstances for limited duty assignments.

C. DEFINITIONS

BASE PAY: Is the negotiated wage paid to a member for the hours actually worked. Shift or specialty differential pay will be deducted when calculating base wage increases.

DEPARTMENT HEAD/DESIGNEE: Chief of Police, Deputy Chief of Police, or in limited circumstances a Division Commanding Officer.

INJURIES: Members who are disabled, due to illness, injury, pregnancy, disability, may at the discretion of the Chief of Police, be placed in a temporary position with limited duty assignments.

JOB RELATED DISABILITIES: Injuries that occur during hours of work and/or illnesses that are attributed to job duties by a licensed physician.

NOTICE OF INJURY: Any member who is injured on the job is required to immediately report the injury to his/her immediate supervisor.

ON DUTY INJURES OR DISABILITY: On-Duty job injuries/illnesses are defined as those injuries or disabilities that occur during working hours and/or are attributed to the job by a licensed physician.

OFF-DUTY INJURIES OR DISABILITIES: Are defined as injuries sustained during time off or time away from work.

SPECIALTY PAY: Members who are assigned to special units may be compensated as prescribed by labor contract.

D. PROCEDURES - GENERAL PROVISIONS

1.7.1 The Chief of Police retains the right to transfer; approve; or deny requests for limited duty as well as to change or cancel any assignments to a limited duty assignment.

1.7.2 No specific position within the department will be designated as a limited duty assignment, nor will any existing limited duty assignment be designated or utilized exclusively for members on limited duty.

1.7.3 Management retains the right to fill any and all specialty unit positions based on the needs of the department.

1.7.4 Assignments may be changed by the Chief of Police or their designee at any time, upon the approval of the treating physician if applicable, if deemed in the best interest, of the member or the department.

1.7.5 Members assigned to limited duty are required to report to work in appropriate business attire and carry the departmentally issued identification card.

1.7.6 Participation in the Take Home Vehicle Program will be temporarily suspended or the operation of any other city owned vehicle will be prohibited while in the limited duty assignment, unless otherwise authorized by the Chief of Police or designee.

1.7.7 During the time that the member is assigned temporarily to a limited duty status, the member will continue to receive their regular base pay, but shall not be eligible for overtime.

1.7.8 A member assigned to a special unit who is who is injured on-duty may continue to receive specialty pay at the discretion of the Chief of Police.

1.7.9 A member injured off-duty or who becomes temporarily disabled as a result of an off-duty incident will not be entitled to receive specialty pay but may request to be assigned to limited duty.

1.7.10 Any member who is granted a limited duty assignment will receive differential pay if the majority of the assigned work hours occur after 1800 hrs.

1.7.11 During the limited duty assignment members shall receive half (1/2) hour lunch break in which they are not subject to being called back from.

1.7.12 Depending upon the estimated date that the member is released for full duty or other circumstances exist that would prohibit a member from fulfilling the obligations of a supervisor, a member assigned to a limited duty assignment may not be eligible for promotion.

E. ADMINISTRATIVE OR CRIMINAL INVESTIGATIONS

1.7.13 Members who are the subject of an internal or criminal investigation and when a limited duty transfer has been deemed by the Chief of Police to be in the best interest of the member or the department, the member will be notified in writing of the temporary transfer from regular duty to limited duty status.

1.7.14 After being notified of the transfer, the member will not be compensated with differential pay during the assignment. However, on a case-by-case basis, the Chief of Police may elect to continue specialty pay.

F. INJURIES/ DISABILITIES

1.7.15 A member who is injured or temporarily disabled must make a written request for a limited duty assignment, via the chain of command, detailing the facts relating to their request.

1.7.16 The written request must be accompanied by medical documentation supporting the request for limited duty. The supporting documentation must be signed by the treating physician or other health care provider.

1.7.17 The written request must contain the following details:

1. Assessment of the nature of the disability;
2. Probable duration of the disability;
3. Prognosis for a recovery or return to full duty.

1.7.18 Before returning to full duty a medical professional must affirm that the member can physically assume their duties and responsibilities.

G. REVIEW OF TEMPORARY ASSIGNMENTS

1.7.19 Every 30 days, until the member has been released for regular duty, a review will be conducted, via the chain-of-command to determine the member's continued eligibility for the limited duty assignment.

Revised: RR 1/22

**Approved: Signature on File
Chief Mike Coffin**