



Columbia Fire Department

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Removal Date: RETAIN

Memo #: 10-001R

To: All Career Personnel

From: Aubrey D. Jenkins, Interim Fire Chief

Date: July 22, 2010

Re: Restricted Duty

This memorandum will serve as guidance for any future decisions as to restricted duty and how it will be requested, reviewed and approved. This directive supplements guidelines contained in the City of Columbia Employee Handbook. If any conflicts occur in this directive and any provision of the Handbook, the Handbook controls. This directive is effective immediately.

Employees who are temporarily and partially physically disabled as a result of an injury, temporary medical condition, or postpartum recovery, and who, as a result of such disability, are not able to safely perform the full range of their normally assigned duties, may be eligible for restricted duty assignment.

Definition. Restricted duty involves services to the City which are normally performed by employees or contractors. Work will not be created for the employee to perform. Restricted duty will be made available to employees as long as meaningful assignments are available. Employees must be certified physically capable of performing the restricted duty assignment prior to commencing restricted duty work.

Eligibility. Employees eligible for restricted duty will follow the policy as outlined in this memorandum and the City Employee Handbook.

- Employees must request restricted duty in writing through their chain of command and provide medical certification as outlined.
- The Fire Chief or his designee will review the request and seek to assign the employee to a temporary position within the fire department or the City based on defined policy.
- Employees working restricted duty will be placed in the payroll account to which they are assigned which will usually be a regular 80 hour cycle.
- **Modified/Transitional Duty While Under Workers Compensation.** Temporary modified/transitional duties will not be created for employees to perform, but will be made available to employees as long as meaningful assignments are available.

- Employees seeking restricted duty assignment for off the job injury and/or those that have had their Workers' Compensation claim denied will be assigned positions within other departments of the City as routine pending position availability.
- Employees seeking restricted duty for off the job injuries will be required to exhaust their permissive leave accrual accounts prior to any decision for restricted duty being approved.
- Employees that have been denied Worker's Compensation claims and have received limited duty restrictions from a physician will be required to exhaust their permissive leave accrual accounts prior to any decision for restricted duty being approved or receive an approved Worker's Compensation claim.
- The Staffing Office will coordinate all approved restricted duty within the fire department.
- All personnel assigned restricted duty within the fire department must sign-in each day with the Staffing Office to record their time. The supervisor to which they are assigned will ensure the employee's time is recorded correctly. *The standard working hours for restricted duty will be 8:30 a.m. to 5:00 p.m. unless stated otherwise.*
- The Fire Chief or his designee will review all restricted duty assignments at 30 day intervals.

Duration of Restricted Duty Assignment. Restricted duty may be available for a maximum of 180 calendar days (6 months) per disability, unless the employee applies for and is granted an extension by the City Manager. The employee's Department Director must approve all restricted duty and any extension must be approved at the discretion of the City Manager.

Dress Requirements. An employee assigned to restricted duty, who normally is provided a uniform, may wear clothing modified to accommodate the temporary disability, so long as the clothing is acceptable to the Department Director and does not interfere with the employee's ability to carry out assigned job duties and responsibilities. (The daily uniform will be the approved uniform for fire shift personnel unless stated by the Fire Chief at the time restricted duty is approved.)

Medical Clearance. Prior to any restricted duty assignment (and at such intervals as the City may thereafter require), a medical doctor, satisfactory to the City, must certify that the employee is unable to perform the full range of his regular duties; that the inability to perform and the condition causing it are temporary; and that there is no risk of contagion or infection to other employees.

Sick leave or other available leave(s) may be used, subject to the policies pertaining to such leaves.

No employee will be permitted to work on restricted duty if a physician advises that the performance of the restricted duty work might slow the employee's recovery or aggravate the disability.

The City may require a review by its physician at any time.

Modified/Transitional Duty While Under Workers Compensation. It is the policy of the City of Columbia to return to work injured employees to their jobs as quickly as possible following a work-related injury or illness, and to place injured employees who are unable to safely return to performing

the full range of their normal duties, into temporary modified/transitional duties, until such time as they can resume normal duties. Temporary modified/transitional duties will not be created for employees to perform, but will be made available to employees as long as meaningful assignments are available. See also Workers Compensation policy, page 50 of the Employee Handbook.

Employees who experience a work-related injury or illness, and if injury/illness demands medical treatment beyond what the City Nurse can provide, are sent to a medical treatment facility. The employee must provide a return to work statement from the treating physician on the date the work-related injury or illness was treated to his Supervisor or Department/Division Head on that same date.

If the treating physician states on the return to work statement that the employee can return to work with no restrictions, the employee is expected to return to work on the same date as the work-related injury or illness occurred.

If the treating physician states on the return to work statement that the employee can return to work with specified restrictions, the Department Head will make reasonable effort to accommodate the temporary restrictions in a modified duty assignment within the department. If the department does not have a modified duty assignment to accommodate temporary restrictions, then the Department Head will contact the Director of Human Resources.

The Director of Human Resources will be responsible for contacting other department areas to determine if meaningful assignments are available within their areas to accommodate temporary restrictions. If meaningful assignments are available to accommodate temporary restrictions, the Director of Human Resources will notify the injured employee of the temporary transitional duties and a date that the employee is to return to work.

The refusal of an injured employee of a transitional job offer or not returning to work on the scheduled date set forth by the Director of Human Resources may result in the termination of the employee's worker's compensation benefits and employment with the City.

If the City does not have temporary modified/transitional duties to accommodate restrictions set forth by the treating physician for the injured employee, then the employee will remain out of work under worker's compensation temporary total disability until the treating physician determines that the employee has either reached maximum medical improvement or is released to return to full duty.

The injured employee is required to provide a return to work statement from the treating physician upon each follow-up visit to the treating physician until such time as the treating physician has released the injured employee to return to full duty or determined that the employee has reached maximum medical treatment.