

BERLIN POLICE DEPARTMENT
BERLIN, MARYLAND

SUBJECT: DUTY STATUS CLASSIFICATION		NO: 500 D-7
EFFECTIVE DATE June 28, 2006	AMENDS	RESCINDS
DISTRIBUTION A	REFERENCES: Town of Berlin Personnel Policies	

- .10 This General Order establishes the rights and responsibilities of sworn personnel whose abilities to perform their required duties have been limited for health reasons.
- .20 Personnel of the Berlin Police Department must be able to perform all of the tasks associated with their normal duties. An officer with an impairment, which restricts his/her ability to carry out the established duties of his/her position, will be relieved of normal duty requirements. This action will be taken on a case-by-case basis to best meet the needs of the employee, the department, and the community.
- .30 Three classifications of duty status are established:
1. **Full Duty:** An officer is able to carry out all the tasks required of his/her position.
 2. **Restricted Duty:** An officer is not able to perform all of the duties or meet all of the responsibilities of his/her position; but, as determined by medical authority, is able to function in a limited capacity.
 3. **No Duty:** An officer, as determined by medical authority, is unable to perform the duties and responsibilities of his/her assignment without an unreasonable risk to him/herself or others.
- .40 Restrictions of Duty Status Classifications:
1. **Full Duty:** No restrictions
 2. **Restricted Duty:** Restrictions and conditions as applicable.

- a. The Chief of Police or his/her designee will determine the duty assignment. The assignment will be determined by the needs of the department, in accordance with the restrictions caused by the impairment and will attempt to best utilize the officer's skills and abilities.
- b. An officer is relieved of all law enforcement responsibility. Being relieved of law enforcement responsibility means an officer is not required to take police action, but in his/her judgment, may take action. This decision must be made by the officer on a case-by-case basis, including the risk of further injury to the officer, the potential for injury to the victim of the crime and/or bystanders, and the nature of the event.
- c. The Chief of Police, based upon circumstances and medical opinion, may determine an officer's police powers are to be suspended. If the police powers are suspended, the officer will not carry a firearm or operate a marked police vehicle. An unmarked vehicle may be driven in fulfillment of assigned duties, if the impairment does not preclude its safe operation.
- d. Duty clothing shall be appropriate for the assigned position and duties. Generally, officers whose police powers are suspended will wear appropriate civilian attire. Other officers will wear their normal duty attire.
- e. An officer on restricted duty may not return to full duty without medical authority, and the approval of the Chief of Police.

3. No Duty

- a. The officer's police powers will be suspended for the duration of the no-duty restriction, and he/she will be relieved of all law enforcement responsibility. The officer will not carry a firearm.

- b. The officer will not wear a police department uniform or operate a police department vehicle.
 - c. An officer in no-duty status may not return to restricted or full duty without medical authority and the approval of the Chief of Police.
 - d. An officer convalescing or recovering from an injury or illness, released by medical authority to return to restricted duty or to part-time work, shall be expected to make a good faith effort to return to productive employment, even a limited capacity, as soon as possible.
- .50 The reporting procedures for illnesses and injuries shall be as specified in the current Town of Berlin Personnel Policies Manual.
- .60 Compensation and benefits shall be as specified in the current Town of Berlin Personnel Policies Manual.
- .70 Promotion
- 1. Personnel in restricted duty status may participate in the promotional process, if otherwise eligible. Restricted duty personnel on a promotional eligibility list may be promoted, if medical authority certifies the officer's capability to perform the duties of the position to which he/she would be promoted. The Chief of Police also may consider the timeliness of the officer's expected return to full duty status. If the medical authority does not certify the officer for promotion, the officer will remain on the eligibility list for consideration for future promotion.
 - 2. Personnel in no-duty status may participate in the promotional process if otherwise eligible. No-duty personnel will not be considered for promotion until returned to restricted or full duty status.

.80 Secondary employment authorizations are suspended automatically upon entry into a **No Duty** or **Restricted Duty** status. Personnel may apply or reapply for permission for secondary employment by established procedures, and all established conditions and restrictions shall apply. Approval by the Chief of Police will consider whether the requested secondary employment will involve functions or activities, which the officer has been determined to be unable to perform in his/her regular duty assignment.