

	BRECKENRIDGE POLICE DEPARTMENT	
	Policy 2.9 Mental Health Leave	
	Effective Date: 06OCT21	Replaces:
	Approved: _____ <div style="text-align: center;">Chief of Police</div>	
Reference:		

I. POLICY

The Breckenridge Police Department understands that the police profession can take a toll on the well-being of officers, both physically and mentally. The Department will provide mental health leave to officers to promote and support the maintenance of officers' healthy state of mind while at work and at home.

II. PURPOSE

The purpose of this order is to establish mental health leave as mandated by Section 614.015, Government Code.

III. DEFINITIONS

- A. **Law Enforcement Agency** – An agency of the state, or an agency of a political subdivision of the state, authorized by law to employ peace officers.
- B. **Peace Officer** – An individual having met all requirements established by law, possessing a valid license through the Texas Commission on Law Enforcement (TCOLE), and having been appointed by the Breckenridge Police Department as a police officer.
- C. **Scope of Employment** – An activity of any kind or character that is associated with and originates in the work, business, trade, or profession of the employer and that is performed by an employee while engaged in, or about the furtherance of, the affairs or business of the employer.
- D. **Identified Traumatic Event** – A traumatic event means exposure to actual or threatened death, serious injury or sexual violence which is experienced by a peace officer in the scope of the officer's duties by:
 - 1. directly experiencing the event.
 - 2. witnessing, in person, the event as it occurred to others.
 - 3. experiencing repeated or extreme exposure to aversive details of the event.

IV. ELIGIBILITY AND APPLICABILITY

- A. This policy is applicable to all individuals who are employed as peace officers within the Breckenridge Police Department and allows for the use of mental health leave for employees who experience a traumatic event in the scope of employment.
- B. Examples of traumatic events occurring within the scope of employment which might have an adverse effect on a peace officer's mental health include, but are not limited to, the following:
 - 1. An officer involved shooting.
 - 2. An investigation by a peace officer concerning the death of an individual.
 - 3. An investigation by a peace officer concerning the abuse of an individual.
 - 4. The death, serious injury, or catastrophic illness of a co-worker.
 - 5. Repetitive or prolonged exposure to events involving violence, injury, or emotional stress.

V. PROCESS

- A. A peace officer, or the peace officer's supervisor on their behalf, may request mental health leave in writing via the "Request for Mental Health Leave" form on the intranet.
 - 1. The employee must specify on this form the nature of the traumatic event leading to the request for mental health leave.
 - 2. This form shall be submitted electronically or printed once completed and shall be submitted directly to the Chief of Police.
 - 3. This form shall be forwarded to the Director of Human Resources and/or the City Manager and members of the officer's chain of command and the Cities' administrative staff as necessary to effectuate the leave.
- B. Peace officers are eligible for up to three regular workdays (36 hours) of mental health leave, per identified traumatic event, as approved by the Chief of Police and the Director of Human Resources when based on the advice of a medical professional. Leave requested under this policy cannot be taken intermittently and does not accrue.
 - 1. The Department shall make available resources such as an Employee Assistance Program (EAP) or a psychologist and may refer the peace officer to one of these resources on a voluntary basis.
 - 2. Any leave beyond the initial three workdays will require the use of the peace officer's accrued leave and will require a written request to the City Manager accompanied by a recommendation or directive from the employee's health care provider. The City Manager may extend or deny the mental health leave request based on whether the additional leave creates an unreasonable hardship to the department or organization as a whole.

- C. A denial of a mental health leave request must be made in writing. If an employee wishes to appeal the denial of a mental health request by the Chief of Police, they may do so in writing to the Director of Human Resources within three (3) business days. An employee may appeal the decision of the Director of Human Resources to the City Manager in writing within three (3) business days of receiving the denial.
- D. Approved leave will be paid leave which will not cause a deduction in salary or utilize accrued leave balances.
- E. As a requirement of returning to work, the City may request the employee to submit to a fitness for duty evaluation.

VI. SUPERVISOR RESPONSIBILITIES

- A. Supervisors should remain aware of the nature of calls and incidents responded to by the peace officers under their charge. Supervisors should identify potential traumatic events and ensure that peace officers are supported after experiencing these events.
- B. Supervisors should meet regularly with officers to gauge their physical, emotional, and mental well-being consistent with that of a reasonable peace officer. If a peace officer has experienced a potential traumatic event, supervisors should meet as soon as practicable with that officer to determine whether mental health leave under this policy would benefit the peace officer. For example, Supervisors who observe an officer's speech or behavior to indicate the officer may be a danger to themselves or others may recommend leave under this policy. In the event a supervisor determines the peace officer would benefit from mental health leave under this policy, the Supervisor may make a recommendation to the Chief of Police. Recommendations should be in writing and consistent with the directives and definitions included in this policy.
- C. Supervisors should also assist officers, if necessary, in completing the "Request for Mental Health Leave" form and in seeking the assistance of City provided resources or members of the Department chaplain program.

VII. ANONYMITY

- A. Status of the peace officer, if mental health leave is granted, will only be conveyed to necessary members of the Human Resources Department for processing, the Chief of Police, the officer's chain of command and the City Manager.
- B. Approved leave and the nature of the requested leave will not be reflected, expressed, or conveyed to employees outside of those listed above, except as necessary to process the mental health leave request.
- C. Mental health leave by a peace officer will be kept confidential to the extent required by law. Employees may waive the confidentiality of leave by electing to discuss, disclose or share details of their leave with members of the department or Cities' staff or with members of the general public.