

DALTON FIRE DEPARTMENT

Standard Operating Procedure

S.O.P.: GP-16
Effective: 03/22/2022
Revised:
Reviewed: 03/26/2024

Fire Chief Signature

DATE

Division: All

Subject: Return to Work, Restricted Duty Assignments

Scope: All Personnel

1. PURPOSE

- A. To clarify expectations related to returning to duty for personnel subject to NFPA 1582 and restricted-duty assignments
- B. This SOP applies to both certified and civilian personnel
- C. The City of Dalton Fire Department recognizes that this process affords mutual benefit to both the organization and affected employees.

2. POLICY

- A. ~~As outlined in The City of Dalton Employee Handbook,~~ This SOP is intended to supplement and not modify or replace any policy or other requirement in the City of Dalton Employee Handbook or any applicable law. Restricted duty is intended to provide a temporary assignment to an employee who is unable to perform their essential tasks of their regular duty employment due to a temporary injury, illness, or other condition.
- B. Providing a temporary Alternative- or Restricted-Duty assignment to an employee is contingent upon the availability of such assignments and the employee's ability to perform the assignments within her/his restrictions.
- C. This policy in no way affects the right of employees under the Family and Medical Leave Act (FMLA) or the Americans with Disabilities Act (ADA). ~~That is, an An~~ employee on FMLA leave may refuse to work restricted-duty assignments until the end of the employee's FMLA leave; however, refusing such restricted-duty assignments may impact the employee's workers' compensation benefits.
- D. Unless the employee has been placed on FMLA leave, an employee's refusal to accept restricted-duty assignment may be grounds for disciplinary action up to and including termination unless prohibited by the Georgia Workers' Compensation Act.
- E. Employees who suffer a job-related injury or illness will be required to provide DFD a certification from their health care provider or attending physician under Workers' Compensation Act and Rules if applicable indicating work status.

3. Definitions

- A. NFPA 1582 Category A Medical Condition – a medical condition that would preclude an individual from performing the essential job tasks of a firefighter in a training or emergency operational environment, or that would present a significant risk to the safety and health of that individual or others.
- B. NFPA 1582 Category B Medical Condition – a medical condition that, based on its severity or degree, may or may not preclude an individual from performing the essential job functions of a firefighter in a training or emergency operation environment, or may or may not present a significant risk to the safety and health of that individual or others.
- C. Restricted Duty – applies to all personnel, is an assignment that is assigned to accommodate a temporary medical, physical, or behavioral impairment to perform regularly assigned roles and responsibilities.

4. PROCEDURE

A. Prescheduled and Requested Restricted Duty

- i. Restricted duty status must be approved by the Fire Chief before the employee returns to the workplace in a restricted duty capacity.
- ii. Medical documentation is required for any change in the employee's work restrictions or status. To remain on restricted duty status, the employee's medical documentation must have dates that reflect the specific timeframes requested for restricted duty. Failure to timely provide proper documentation may result in the employee's restricted duty status request being denied or revoked.
- iii. Employees shall provide the department with as much advance notice as possible when undergoing a planned medical procedure.
- iv. The Fire Chief will direct the restricted duty assignment and placement.

B. Duty-Related Injury: All personnel shall follow the City of Dalton and Dalton Fire Department injury reporting policies and notify their supervisor immediately, if injured while on duty.

C. Non-Duty Injury, Illness, or Medical Restriction: All Emergency Response Personnel must be in physical and mental condition to deploy for operations and be able to complete any and all assigned duties. When such an employee has an issue that precludes full participation in any assigned duties or operational readiness, as outlined by NFPA 1582, the employee shall notify their supervisor before returning to work. (See NFPA 1582 Category A & Category B)

D. Review and Approval of Restricted Duty Request

- i. Consistent with the City of Dalton and Dalton Fire Department policy, the Fire Chief shall exercise judgment and diligence in determining whether restricted duty work is available that meets the employee's restrictions and abilities.

- ii. An employee will not be allowed to return to work in any capacity until appropriate medical documentation is received, reviewed and approved by the Fire Chief or designee.
- iii. Once received, the Fire Chief or designee will review the medical/physical restrictions identified in the medical provider documentation, and will determine if the employee will be approved for restricted duty status. The Fire Chief or designee will then notify the affected employee by phone or e-mail as to the status of their restricted duty request.
- iv. The employee's chain of command will also be notified that the employee will be in a restricted duty status.

E. Employee Responsibility

- i. All employees shall adhere to the medical restrictions that are identified by their medical provider.
- ii. Employees are not allowed to come to work if using narcotics or other medication that cause impairment.
- iii. Employees, while on restricted duty, may not take emergency action or otherwise engage in any action that places the employee, other personnel, or the public at undue risk.
- iv. Employees are required to have their medical provider update the status of their restrictions when their restrictions change or as requested by the Fire Chief or designee.
- v. In all circumstances, an update Medical Status Report must be submitted periodically (generally every two months) while the employee remains on restricted duty.

F. Restrictions and Special Considerations

- i. Restricted Duty assignments are limited to six (6) months (26 weeks total).
- ii. On a case-by-case basis the Chief may approve an extension of six (6) months (26 additional weeks), not to exceed twelve (12) months (52 weeks).
- iii. Restricted Duty assignments are only available if the medical provider believes the employee will be able to return to their regular duty position and perform the essential job tasks of the position.
- iv. If the employee's medical provider determines that the employee will not be able to return to her/his regular duty position and perform the essential functions of that position, the employee will work with administration and the City of Dalton Human Resources office to identify possible employment options.
- v. If the Department does not receive the required updated Medical Status Reports in a reasonable timeframe, the restricted duty assignment may be discontinued.

- vi. The length of an employee's restricted duty status will be measured by allotment, to include the time period where any extensions to the initial allotment are granted. This means that once an employee is approved for restricted duty status, their allotment will commence, to include re-occurrences of the same illness/injury, or any additional injuries/illnesses that may occur within the same timeframe.
- vii. Any leave taken during the period that the employee is in restricted duty status will not extend the employee's six (6) months or one (1) year allotment.
- viii. Assignments filled by restricted duty are to be temporary, and there is to be no expectation that of the assignment to become a permanent position.

G. Audit/Compliance Verification

- i. Once approved for restricted duty status, employees may be required to have a meeting with the Fire Chief or designee.
- ii. For extended restricted duty requests, mandatory monthly meetings will occur. The purpose of these meetings is to relay expectations and assure compliance with this SOP and intended purpose of the City of Dalton and Dalton Fire Department policies.
- iii. These meetings are also opportunities to discuss the ongoing needs of the employee and the department.
- iv. Supervisors of the employee assigned to restricted duty are responsible for auditing the work that their restricted duty employees are performing to assure that meaningful work is being accomplished.
- v. When a supervisor does not have meaningful work, the Fire Chief or designee is to be contacted. The Fire Chief or designee will determine whether there is meaningful work in a different division or city department and may reassign the employee as appropriate.

H. Return to Full-Duty Assignment

- i. In order to return from restricted duty to a full-duty status, medical clearance paperwork must be submitted and reviewed. For work and non-work/duty related injuries, the employee must submit paperwork, including the Medical Release for Work Form, from the medical provider indicating that the employee can return to work and perform the essential functions of her/his position.
- ii. The Fire Chief or designee must review the medical documentation and approve the return to duty before the employee may return to full-duty status.
- iii. Firefighting personnel expected to function in SCBA and PPE who have been off for extended periods of time will need to show physical fitness, demonstrate proficiency, and/or receive remediation training.
 - a. Employees who were off sixty (60) days or longer for injury/illness will need to:

- i. Have the Medical Release for Work Form completed by their provider
 - ii. Pass a department physical abilities test
- b. Employees who were off for one (1) year will need to:
 - i. Have the Medical Release for Work Form completed by their medical provider
 - ii. Pass a department physical abilities test
 - iii. Complete remediation training associated with any certifications required for job duties
 - a. If the employee worked restricted duty and was able to maintain certification training, this requirement can be exempted by the Fire Chief or designee

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