



Chapter 4: LEAVES OF ABSENCE

4.13 Mental Health Leave

PURPOSE

Pursuant to Texas Government Code Section 614.015, the City of Stephenville hereby adopts this mental health leave policy for peace officers. (*Ref. Tex. Gov't Code 614.015, Subchapter A-1*). Furthermore, the city has chosen to include emergency medical technicians, firefighters, public safety employees and telecommunications officers.

DEFINITIONS

Emergency medical technician (EMT) means an individual who is employed by the city and certified as an emergency medical technician under Chapter 773, Health and Safety Code.

Firefighter means a paid employee of the city's fire department who:

- a. Holds a position that requires substantial knowledge of firefighting;
- b. Has met the requirements for certification by the Texas Commission on Fire Protection under Chapter 419, Government Code; and
- c. Performs at least one of the following functions:
 - i. fire suppression;
 - ii. fire prevention;
 - iii. fire training;
 - iv. fire safety education;
 - v. fire maintenance;
 - vi. fire communications;
 - vii. fire medical emergency technology;
 - viii. fire photography;
 - ix. fire administration; or
 - x. fire arson investigation.

Mental health leave means administrative leave with pay granted in response to a traumatic event that occurred in the scope of the public safety employee's employment.

Mental Health Professional means a licensed social or mental health worker, counselor, psychotherapist, psychologist or psychiatrist.

Peace officer means police officers licensed by the Texas Commission on Law Enforcement and employed by the city. (*Ref. Texas Local Gov't Code 180.008(a); 143.003(4)(A); Tex. Health & Safety Code 121.021; Tex. Code Crim. Pro. Art. 2.12.*)

Public Safety Employee means any employee of the Police or Fire Department, sworn or non-sworn, who responds to, is involved in, investigates, documents, or assists in the department's response to a traumatic event.



Telecommunications officer (TCO) means any employee who holds a license under Chapter 217, Texas Administrative Code.

Traumatic event is an event which occurs in the scope of employment when the emergency medical technician, firefighter, peace officer, public safety employee or telecommunications officer is involved in the response to, or investigation of, an event that causes them to experience unusually strong emotional reactions or feelings which have the potential to interfere with their ability to function during or after the incident. Personal traumatic events outside of the scope of employment are not covered by this policy.

Traumatic events may include, but are not limited to, the following:

1. Major disasters which may include response to weather related events involving multiple casualties; or explosions with multiple casualties; or search and recovery missions involving multiple casualties;
2. Incidents involving multiple casualties which may include shootings or traffic accidents;
3. Line of duty death or suicide of a department member;
4. Death of a child resulting from violence or neglect;
5. Peace Officer(s) involved shooting of a person.
6. Upon the advice of a specialist, a Department Director may authorize mental health leave for any public safety employee for any type of call for service.

POLICY

An emergency medical technician, firefighter, peace officer, public safety employee, or telecommunications officer directly involved in a traumatic event is entitled to administrative mental health leave without a deduction in salary or other compensation.

Requesting mental health leave

An emergency medical technician, firefighter, peace officer, public safety employee, or telecommunications officer directly involved in the response to, or investigation of, a traumatic event may request the use of mental health leave. The request shall be made in writing through the chain of command. The request shall be treated as a priority matter and a decision on the granting of the leave shall be made no later than twenty-four (24) hours following the submission of the request. The request shall be granted unless the chain of command can articulate specific, compelling reasons to deny granting the leave.

A supervisor or coworker who becomes aware of behavioral changes in an employee directly involved in a traumatic event should suggest that he or she seek mental health leave and the assistance of a mental health professional.

Confidentiality of request

Any request for mental health leave shall be treated as strictly confidential by all parties involved and shall not be discussed or disclosed outside the employee's immediate chain of command, and only as necessary to facilitate the use of the leave. Any supervisor or coworker who becomes aware of behavioral changes and suggests the affected employee seek mental health leave shall not discuss that matter with any third party. Any breach of this confidentiality shall be grounds for discipline, up to and including termination.

Confidentiality may be waived by the employee seeking mental health leave. Confidentiality may be



waived under circumstances which indicate the employee is a danger to himself or herself or others and department personnel must confer with mental health professionals.

To ensure an employee's confidentiality, mental health leave as described in this policy shall be documented as administrative leave on personnel or payroll records; this time shall not be documented as mental health leave. Mental health leave is considered personal health information unless stated otherwise in a department policy, employee handbook, or state or federal law.

Duration of mental health leave

An employee directly involved in a traumatic event may request up to three working days of mental health leave.

Extensions of mental health leave may be available under certain circumstances. Any request for an extension shall be accompanied by documentation from a mental health professional who is counseling the affected employee and such a request may extend the leave by an additional three working days. Each affected employee may request no more than two initial extensions, each supported by sufficient documentation by the mental health professional. The Department Director shall grant the extension(s) upon the receipt of sufficient documentation to explain the need for the extension. Should the employee need additional mental health leave, the Department Director may approve additional extensions only after consultation with the mental health professional.

Mental health services available to the affected employee

The Police and Fire Departments will maintain for distribution a list of current, available mental health resources.