

“Keep Orlando a safe city by reducing crime and maintaining livable neighborhoods.”
**ORLANDO POLICE DEPARTMENT POLICY AND PROCEDURE
1619.7, ALTERNATIVE DUTY ASSIGNMENTS/NO DUTY ASSIGNMENTS**

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CHIEF OF POLICE:	ERIC D. SMITH

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1. PURPOSE

This policy establishes guidelines and responsibility regarding alternative duty assignments pursuant to line-of-duty and non-line-of-duty injury or illness, but not related to any injury or illness pursuant to the current issue of P&P 1117, Extra-Duty and Outside Employment.

2. POLICY

Members of the Orlando Police Department with temporarily diminished physical capabilities as a result of illness, injury, pregnancy, etc., may, at the discretion of the Chief of Police, be assigned to alternative duty. The primary priority for such assignments shall be the augmentation of line services. Nonsworn employees (civilians) should refer to the appropriate City of Orlando policy and procedures.

3. DEFINITIONS

No-Duty Status- A member will be in a No-Duty Status when either the City's occupational healthcare provider or private physician has determined that he/she is not physically capable of performing normal police duties or does not qualify for alternative duty assignment. These members shall be required to remain in an authorized leave status (i.e., sick leave, personal leave, compensatory time, family leave), until they can return to full duty or become eligible to work an alternative duty assignment.

Note: If a member is in a No-Duty Status from an on-duty injury and an Interim Disability Packet is going to be submitted, the member must use Personal Leave or Sick Leave while out on a work-related no-duty status.

4. PROCEDURES

4.1 REQUIREMENTS FOR ALTERNATIVE DUTY

4.1.1 ON-DUTY INJURIES

Once the member has been released to Alternative Duty by the City's occupational healthcare provider, the member must return to work immediately or apply for Family and Medical Leave (FMLA), as outlined in Policy and Procedure 1607. Members who elect to apply for FMLA will not be able to request reimbursement of sick leave or personal leave if such use is related to an injury/illness that occurred in the line of duty. There are no minimum requirements for alternative duty assignment after an on-duty injury. (See Attachment A for On-Duty Injuries checklist.)

The provider status report (from the physician) shall be attached to the request memo and all updates regarding the on-duty injury. This is called the Florida Workers' Compensation Uniform Medical Treatment/Status Reporting Form.

4.1.2 OFF-DUTY INJURIES

In order to qualify for alternative duty assignments, members must be certified by a licensed physician to have capabilities diminished on a temporary basis to the extent the member can no longer perform tasks required in the full application of police powers. Additionally, members must be capable of performing all of the following requirements: (See Attachment B for Off-Duty Injuries checklist.)

- a. Respond to non-hazardous calls for service.
- b. Write police reports.
- c. Interview victims and witnesses.
- d. Work shift work.
- e. Work 40 hours per week.
- f. Be able to ride in a police vehicle and be able to enter and exit the vehicle unassisted.
- g. Operate a police radio.

4.2 NO-DUTY STATUS

If a member is unable to meet these minimum alternative duty requirements and is placed on a no-duty status by either the City's occupational health provider or a private physician, then he/she shall immediately, or as soon as circumstances allow, notify the Patrol Services Bureau aide, via email, of his/her no-duty status. The member shall also immediately, or as soon as circumstances allow, submit a memo, with the physician's status report attached, to the Chief of Police, via the chain of command. The memo must include a description of the injury, the estimated length of no-duty status, and the projected date of return to an alternative duty status or to full duty. Please see Policy and Procedure 1610, Interim Disability Committee (IDC) for IDC submission guidance.

4.3 APPLICATION FOR ALTERNATIVE DUTY

4.3.1 ON-DUTY INJURIES

A qualified member injured in the line of duty must request alternative duty immediately following the City's occupational healthcare provider evaluation by submitting a memo to the Chief of Police, via the chain of command, with the City's occupational healthcare provider status report attached. The memo should include a brief description of how the injury occurred, estimated length of alternative duty, list of limitations and restrictions, any medication that might impair the member, prognosis for recovery, and the projected date of Maximum Medical Improvement (MMI). The memo shall not include a request for a specific assignment.

The division commander, upon receipt of the memo and the City's occupational healthcare provider status report for a line-of-duty injury or illness, shall immediately assign the member to temporary alternative duty for in-the-line-of-duty injury cases. The memo and the City's occupational healthcare provider status report, with the chain-of-command endorsements, must be completed prior to reaching the Chief of Police, who will be the final authority in deciding to approve a request for alternative duty and assignment.

4.3.2 OFF-DUTY INJURIES

Members who request an alternative duty assignment resulting from illness, injuries, etc., not occurring in the line of duty will be required to have their private physician complete and sign a Request for Alternative Duty memo (Attachment C). The member must also complete a memo to the Chief of Police, via the chain of command. The memo should include a brief description of the injury or illness, estimated length of alternative duty, list of limitations and restrictions, any medication that might impair the member, the prognosis for recovery, and the projected date of MMI. The memo may not request a specific assignment. The completed form and memo must be submitted to the Chief of Police for approval via the chain of command. Members must remain in an authorized leave status until the request is approved. Do not report to the City's occupational healthcare provider for non-line-of-duty illness or injuries.

Alternative duty assignments will not be authorized for members who reach MMI and are unable to return to full and unrestricted duty unless they have a pending pension application and have been so authorized by the Chief of Police. Once MMI has been reached and the member cannot return to full and unrestricted duty, the member must retire, resign, or seek an alternative position within the City within the time limits established in Section 4.4.

4.4 ADMINISTRATION

The Chief of Police and bureau commanders will determine the nature and type of any alternative duty assignments.

Members may continue their primary assignment if the efficiency of the unit will not be affected. (Example - A member normally assigned to administrative duties could continue that assignment after knee surgery.)

Members given alternative duty assignments will be responsible for forwarding all City occupational healthcare provider status report updates through their permanent chain of command and to the Patrol Services Bureau Aide, who will maintain a file of all alternative duty assignments. Bureau commanders will be responsible for monitoring employees from their bureaus who are on alternative duty, regardless of the employee's alternative duty assignment.

Bureau commanders will give written notice to members who are on alternative duty, sick leave, personal leave due to illness or injury, or leave of absence/family leave for six continuous months and again at nine continuous months. This notice will advise the member to comply with Section 4 of this directive. The member's failure to resign, retire, or obtain an alternative position within the City within the time limits established in Section 4.4 will result in termination.

Alternative duty assignments will include but are not limited to, Community Service Officer first responder duties and

other nonhazardous police duties.

For a member who is in an authorized alternative duty status, supervisors shall ensure that the informational pay code "Info Alternative Duty" is added, with comments, on his/her Kronos for each date of the alternative duty.

4.5 DURATION

Members who are on alternative duty resulting from an in-the-line-of-duty injury shall report to the City's occupational healthcare provider every 30 days for evaluation. Members who are on alternative duty resulting from a non-line-of-duty injury shall be evaluated every 30 days by their private physician, who shall complete the Request for Alternative Duty memo. Every time a member receives an update on the injury, they must immediately give all paperwork to their supervisor, who will forward it through the chain of command. Failure to provide any 30-day evaluation report shall subject the member to discipline and may result in revocation of alternative duty assignment.

All members on alternative duty shall contact the Employee Health and Safety Manager at 407.246.3676 if they fall under one of the following categories:

- a. Members who have reached MMI and continue to be unable to return to full duty due to their line-of-duty or non-line-of-duty injury or disability.
- b. Members who have not reached MMI within 11 months from the date of their injury.

The Employee Health and Safety Manager will assist the member in complying with City Policy and Procedure [101.4, Americans with Disabilities Act](#).

Any member in any combination of the below-listed categories for one continuous year or 12 cumulative months out of any 18-month period will be required to return to full duty:

- a. Alternative Duty
- b. Sick leave or personal leave used as a result of illness or injury
- c. Leave of absence due to disability, illness, or injury
- d. Family leave due to disability, illness, or injury of the employee

Those members unable to return to full and unrestricted duty will be terminated from employment. Such an employment termination will have no bearing upon decisions concerning the member's eligibility for pension. Members are cautioned to file any pension requests prior to termination. In the event employment is terminated, the member may be eligible for reinstatement during the next 24 months in accordance with Civil Service procedure and City policy, provided the member is able to return in an unrestricted or limited alternative duty status.

4.6 CONDITIONS WHILE ON ALTERNATIVE DUTY

Conditions while on alternative duty are as follows:

- a. Members are prohibited from working extra-duty jobs that entail the wearing of the police uniform or need for police authority.
- b. Members shall not present themselves as an officer to the general public (i.e., wearing their badge and firearm in open view).
- c. Members may work jobs not related to law enforcement, as long as the employment does not interfere with the condition(s) resulting from the alternative duty status. All employees shall comply with the City's Ethics Manual and [City Policy 800.5](#). Employees must have a Request for Authorization for Outside Employment on file in City Personnel.

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- d. Members will not utilize arrest powers or engage in police related activity requiring the use of force, except in the defense of life.
- e. Members are prohibited from taking a Department issued firearm out of state.
- f. Members may be allowed to participate in in-service training or attend special schools upon approval of the Bureau Commander.
- g. If a promotional examination in which the member would normally be eligible to participate is given while the member is on alternative duty, the member will be allowed to participate in the promotional process.
- h. Members placed on alternative duty are prohibited from participating in the take-home vehicle program.

An Alternative Duty Assignment Notice (Attachment D), available in PowerDMS, will be served on members assigned to this status.

4.7 REQUIREMENTS TO REMAIN IN AUTHORIZED LEAVE STATUS

Members who are not authorized alternative duty assignments and who are physically unable to perform normal duties shall be required to continuously remain in an authorized leave status (i.e., sick leave, personal leave, compensatory time, family leave).

In addition, eligible members of the Sick Leave Bank who have suffered a non-duty-related injury, illness, or disability may remain in an authorized leave status if all the requirements are met for eligibility in the Sick Leave Bank and withdrawal of sick time from the Sick Leave Bank is granted by the Committee. Members who are eligible for Sick Leave Bank may request additional time in accordance with the current issue of P&P 1622, Sick Leave Bank.

Members who are eligible for reimbursement of sick or personal leave through the Interim Disability Committee or any other City program should request such reimbursement in accordance with the current Interim Disability Committee policy to ensure that their sick/personal leave is not exhausted.

4.8 FAILURE TO REMAIN IN AUTHORIZED LEAVE STATUS

Members who fail to remain in an authorized leave status shall be subject to established policy and procedures.

4.9 NOTICE TO DISABILITY PENSION APPLICANTS

A limited/alternative duty assignment with no reduction in pay or benefits will be offered to sworn members who file an application for a disability pension. Subsequent retirement will have no bearing upon the member's eligibility for a limited/alternative duty position. The Chief of Police has full discretion to revoke any offer of a limited/alternative duty position.

4.10 MANAGEMENT DISCRETION

Alternative duty assignments remain at the sole discretion of management and are generally utilized on an interim basis.

4.11 MARKED VEHICLES

Members in an alternative duty status shall not be permitted to participate in the Assigned Vehicle Program. The affected supervisor must notify the Fleet Coordinator of the member's alternative duty status. If the alternative duty is for a period lasting more than 30 days in duration, the vehicle must be turned in to the Fleet Coordinator for retention or reassignment. The assigned rifle must be turned in to the Quartermaster Unit for retention or reassignment. All mobile computer equipment must be turned in to the Quartermaster Unit for retention or reassignment by the MCT

Coordinator.

For alternative duty periods lasting less than 30 days in duration, the vehicle shall be parked at the member's assigned OPD facility until such time as the alternative duty is lifted. The rifle and mobile computer equipment shall be secured by the member, who is responsible for the safekeeping of the equipment. If it is deemed to be in the best interest of the Agency, the Fleet Coordinator is authorized to make exceptions to this provision as it relates to the vehicle, and rifle. The MCT Coordinator or Mobile Computer Project Manager is authorized to make exceptions to this provision regarding the mobile computer equipment.

5. FORMS AND APPENDICES

ATTACHMENT A- On-Duty Injuries Checklist

ATTACHMENT B- Off-Duty Injuries Checklist

ATTACHMENT C- Request for Alternative Duty Memo

ATTACHMENT D- Alternative Duty Assignment Notice