

Fitness for Duty

1016.1 PURPOSE AND SCOPE

Best Practice NYSLEAP- 8.7 - 14.1

Monitoring members' fitness for duty is essential for the safety and welfare of the members of the Department and the community. The purpose of this policy is to ensure that all members of this department remain fit for duty and able to perform their job functions.

1016.2 POLICY

Best Practice NYSLEAP- 8.7 - 14.1

The Syracuse Police Department strives to provide a safe and productive work environment and ensure that all members of this department can safely and effectively perform the essential functions of their jobs. Under limited circumstances, the Department may require a professional evaluation of a member's physical and/or mental capabilities to determine his/her ability to perform essential functions.

1016.3 MEMBER RESPONSIBILITIES

Best Practice NY_CALEA6.13 - 22.2.2 NYSLEAP- 8.7 - 14.1

It is the responsibility of each member of this department to maintain physical stamina and psychological stability sufficient to safely and effectively perform the essential duties of his/her position.

During working hours, all members are required to be alert, attentive and capable of performing their assigned responsibilities.

Any member who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that a member believes that another department member is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1016.4 SUPERVISOR RESPONSIBILITIES

Best Practice NYSLEAP- 8.7 - 14.1, 4.1 (B)

All supervisors should be alert to any indication that a member may be unable to safely perform his/her duties due to an underlying physical or psychological impairment or condition.

Such indications may include:

- (a) An abrupt and negative change in the member's normal behavior.
- (b) A pattern of irrational conduct, hostility or oppositional behavior.
- (c) Personal expressions of instability.
- (d) Inappropriate use of alcohol or other substances, including prescribed medication.

Syracuse Police Department

Policy Manual

Fitness for Duty

- (e) A pattern of questionable judgment, impulsive behavior or the inability to manage emotions.
- (f) Any other factor or combination of factors causing a supervisor to believe the member may be suffering from an impairment or condition requiring intervention.

Supervisors shall maintain the confidentiality of any information consistent with this policy.

1016.4.1 REPORTING

Best Practice MODIFIED NYSLEAP- 8.7 - 14.1

A supervisor observing a member, or receiving a report of a member, who is perceived to be unable to safely or effectively perform their duties shall promptly document all objective information and/or observations.

The supervisor should attempt to meet with the member to inquire about the conduct or behavior giving rise to the concerns.

If a meeting does not resolve the supervisor's concerns or does not take place, the supervisor shall promptly document their observations and actions in a written report and inform the member's Commanding Officer.

1016.4.2 DUTY STATUS

Best Practice MODIFIED NYSLEAP- 8.7 - 14.1

In conjunction with the member's Commanding Officer, the supervisor should make a preliminary determination regarding the member's duty status.

If a determination is made that the member can safely and effectively perform the essential functions of their job, the member should be returned to duty and arrangements made for appropriate follow-up.

If a preliminary determination is made that the member's conduct or behavior represents an inability to safely and effectively perform the essential functions of their job, the member's Commanding Officer should confer immediately with their Bureau Chief, or the Duty Chief, who may then direct the member's Commanding Officer to relieve the member of duty pending further evaluation.

Members relieved of duty shall comply with the administrative leave provisions of the Personnel Complaints Policy.

The Chief of Police shall be promptly notified in the event that any member is relieved of duty.

1016.5 FITNESS-FOR-DUTY EVALUATIONS

Best Practice MODIFIED NYSLEAP- 8.7 - 14.1

A fitness-for-duty evaluation shall be ordered whenever a member is directly involved in an officer-involved shooting prior to returning to duty and for any member returning from medical leave.

Syracuse Police Department

Policy Manual

Fitness for Duty

1016.5.1 PROCESS FOR DISABILITIES

State NYSLEAP- 8.7 - 14.1

When an employee is unable to perform the duties of his/her position by reason of a disability, other than a disability resulting from an occupational injury or disease as defined in the workers' compensation law, the employee and the Department shall comply with the applicable provisions of the Civil Service Law (Civil Service Law § 72; Civil Service Law § 73).

1016.5.2 PROCESS FOR ALL OTHERS

Best Practice MODIFIED NYSLEAP- 8.7 - 14.1

The Chief of Police, in cooperation with the Human Resources Division, may order the member to undergo a fitness-for-duty evaluation.

The examining practitioner will provide the Department with a report indicating whether the member is fit for duty. If the member is not fit for duty, the practitioner will include the existing restrictions or conditions in the report.

In order to facilitate the evaluation of any member, the Department will provide all appropriate documents and available information before the evaluation.

All reports and evaluations submitted by the examining practitioner shall be part of the member's confidential medical file.

Any member ordered to undergo a fitness-for-duty evaluation shall comply with the terms of the order and cooperate fully with the examining practitioner. Any failure to comply with such an order and any failure to cooperate with the practitioner may be deemed insubordination and shall subject the member to discipline, up to and including termination.

Determinations regarding duty status of members who are found to be unfit for duty or fit for duty with limitations will be made in cooperation with the Human Resources Division.

1016.6 LIMITATION ON HOURS WORKED

Best Practice MODIFIED NYSLEAP- 8.7 - 14.1, 14.3

Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve any member who has exceeded guidelines to off-duty status.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other work assignments to include secondary work permits.

1016.7 APPEALS

Best Practice NYSLEAP- 8.7 - 14.1

Employees disputing the application or interpretation of this policy may submit a grievance as provided in the Grievances Policy.