



**DEPARTMENT OF PUBLIC SAFETY
POLICIES & PROCEDURES**



POLICY NUMBER	
PRS: 11	
EFFECTIVE DATE: 11/29/2017	ORIGINAL ISSUED ON: 05/22/1998
REVISION NO:	
3	

SUBJECT: STATE POLICE DUTY-INJURY LEAVE

1.0 PURPOSE

The purpose of this policy is to establish guidelines for state police commissioned officers requesting duty-injury leave following a duty-injury.

2.0 POLICY

It is the policy of the Department that State Police Commissioned Officers (herein, “officers”) who are injured or experience a work-related illness while in the performance of their duties may be permitted usage of duty-injury leave as outlined in this policy.

3.0 APPLICABILITY

This policy applies to all state police commissioned officers.

4.0 REFERENCES

- A. PRS: 15 Absences from Work**
- B. PRS: 04 Workers’ Compensation Program**
- C. ADM: 46 Risk Management**

5.0 DEFINITIONS

- A. Duty-Injury** – For the purpose of this policy, duty-injury is defined as a work-related injury/illness that results in an absence of more than one (1) working day as certified by a medical provider and that occurs while performing non-administrative law enforcement duties, e.g., enforcing laws, effecting arrests; executing search warrants; interviewing suspects; investigating crimes/traffic accident scenes; actively responding to perform or directly resulting from performing such law enforcement duties; actively patrolling; during mandatory training to perform law enforcement duties; or during physical fitness activities when the officer is fully compliant with all requirements of *ADM:16, Physical Fitness and Wellness Program*. This leave is generally not available for injuries/illnesses that occur in an office setting such as while doing administrative-type work inclusive of, but not limited to office paperwork, attendance at meetings, and preparation for and attendance at court.

6.0 PROCEDURE

A. Duty-Injury Leave Allowance

When approved by the Chief, each State Police Commissioned Officer is granted a per-duty-injury allowance of up to 1,440 hours of paid time for each duty-injury (herein, “duty-injury leave”). Duty-injury leave may be used for time lost from work (beyond

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one working day as set forth in 5.0.A) while seeking medical diagnosis, treatment, or during convalescence, as managed through the Workers' Compensation Insurance program. When recovery is complete, any duty-injury leave not used is forfeited. For purpose of computing how much duty-injury leave can be used, all work days are based on an eight (8) hour work day, five (5) days per calendar week.

1. All duty injuries will be reported in compliance with the Department of Public Safety's Workers' Compensation Administration policy. The use of duty-injury leave replaces and/or supplements the Workers' Compensation disability income benefit in accordance with *PRS:04 Workers' Compensation Program*.
2. In the event the Chief denies an officer duty-injury leave, and/or the injury/illness is not approved as compensable under the Workers' Compensation Act other than for administrative reasons such as late filing of a claim or determinations that are clearly inconsistent with the qualifying illnesses and injuries set forth in 5.0.A, any duty-injury leave that may have been paid will be "backed-out" of any other available leave or compensatory time accrued by the officer or may be repaid from personal funds.
3. Once an officer is granted duty injury leave, refusal by an officer to accept a modified/light-duty assignment may result in termination of duty injury and workers' compensation benefits.
4. An officer who returns to work on a modified/limited-duty status who wishes to take vacation or needs to take time-off due to an unrelated medical condition must use accrued vacation or sick leave or request time-off without pay.
5. Officers who are found to falsely claim duty-injury leave or misuse duty injury leave may be subject to disciplinary action.

B. Duty-Injury Review

1. The Chief and a representative from the Human Resources Bureau shall review every reported duty injury. The Chief and HRB representative shall meet, as needed, to review relevant duty-injury information for the purpose of determining the officer's eligibility for duty-injury leave. The decision to grant duty injury shall be based on consistently-applied standards using the following guidelines:
 - a. Is the injury or illness work-related (as defined in paragraph 5.0 A. "Duty Injury")?
 - b. Were any prohibitive policies or regulations violated during the incident that caused the alleged injury?
 - c. Was the injury a result of gross negligence or misconduct on the officer's part?
 - d. Did the injury or illness occur while performing non-administrative law enforcement duties?
2. The Chief, taking into consideration the above, will ultimately approve or disapprove the usage of duty-injury leave by an officer.

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3. An officer who has been approved or denied duty-injury leave will be notified in writing. If an officer is denied duty-injury leave he/she may request an opportunity for an oral response or provide written documentation to the Chief in appeal of the decision within eleven (11) calendar days of receipt of the notice.
4. The Chief will respond to the request for an oral response or to the written documentation in appeal of the decision within eleven (11) calendar days. The Chief's decision will be final.

7.0 ATTACHMENTS

NONE

8.0 APPROVAL

APPROVED BY: s/Scott Weaver **DATE:** November 29, 2017
DPS Cabinet Secretary