

Temporary Modified Duty Assignments

1033.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the procedure for assigning employees to temporary modified duty when injuries sustained on- or off-duty result in physical limitations as diagnosed by a qualified health care professional.

1033.2 POLICY

It is the policy of the Fresno County Fire Protection District to assist injured employees in returning to work as soon as they are medically able to perform meaningful work for the District. In some instances, the return to work may result in a temporary modified-duty assignment. Temporary Modified Duty assignments are a management prerogative and not an employee right. The availability of Temporary Modified Duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the District.

1033.3 PROCEDURE

Temporary modified-duty assignments are intended to provide employees who have sustained a work-related occupational or non-occupational injury that temporarily limits their ability to perform their regularly assigned duties with an opportunity to return to work. The ability of the District to offer an employee a temporary modified-duty assignment will be based on the limitations of the employee and the needs of the District, and will generally not exceed sixty days. The process for evaluating an employee for a modified-duty assignment after being medically cleared with restrictions from an injury occurring on- or off-duty, or an illness as a result of an exposure, shall be as follows:

- (a) The employee's treating health care professional must have provided the employee with written clearance stating that the employee is able to work modified duty with identified work restrictions.
- (b) The employee must provide the clearance document to the Administration as soon as practicable.
- (c) The Administration should contact the respective Division Chief to determine the availability of a temporary modified-duty assignment that is commensurate with the employee's work restrictions. There may be instances when a temporary modified-duty position within the employee's work restrictions is not available.
- (d) If a temporary modified-duty assignment is available, the employee may be required to schedule an appointment with the District's occupational medical provider for final medical clearance before reporting for duty.
- (e) Temporary modified-duty assignments shall not exceed sixty days without approval from the Fire Chief or the authorized designee. Extensions will be based on the employee's need for continued temporary modified duty and the District's need for continued work in the task assigned. Extensions are not guaranteed. Extensions in a temporary modified-duty assignment will be granted on a case-by-case basis and

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at the sole discretion of management. An authorized extension will not expand any temporary modified duty into a permanent assignment and will not be considered as precedent for any other extensions.

- (f) With the exception of employees who are disabled, as defined by the Americans With Disabilities Act (ADA) or the California Fair Employment and Housing Act (Government Code § 12940 et seq.), temporary modified-duty assignments normally will end at the point when the injured employee's condition is declared permanent and stationary.