

# Temporary Modified Duty

**Index Code:** 712

**Effective Date:** 08/01/12 (Revised 3/1/2021)

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## **I. Purpose**

The purpose of this directive is to establish a Temporary Modified Duty Program to provide employees sustaining a work related injury or illness with temporary modified work during a period of medical recovery when unable to perform pre-injury duties.

## **II. Policy**

It is the policy of the Office of the Sheriff to provide employees temporarily incapacitated or limited in duties with productive employment, consistent with the agency's needs and the employee's specific incapacitation or limitation. This policy is designed to insure the safety of the employee, fellow employees, the public, and address potential liability issues.

Providing employees with positions consistent with their modified duty or restricted duty status is a privilege, not an inherent right, and is contingent upon availability and anticipated duration. In the event a modified duty/restricted duty position is not available or feasible it is incumbent upon the affected employee to take appropriate leave.

## **III. Definitions**

A. Full Duty - An employee is considered to be on a "full duty" status when he or she is able to perform the duties and responsibilities required by his or her full time position for which they were employed.

B. Modified Duty - An employee is considered to be in a "modified duty" status, also referred to as "light duty" status, when he or she is unable to perform the duties and responsibilities required by his or her full time position for which they were employed (usually as a result of an injury), and has been released by the attending physician to perform duties less vigorous than required by their regular job assignment.

C. Restricted Duty - An employee is considered to be in a "restricted duty" status when they are unable to perform the duties and responsibilities required by their full time position due to a pregnancy (or it is not recommended by the attending physician as a precautionary measure), and has been released by the attending physician to perform duties less vigorous than required by their regular job assignment. Other situations may exist from time to time whereas an employee may be on restricted duty and not be pregnant.

## **IV. Modified Duty Assignments**

A. To the extent possible, every effort will be made to provide employees with temporary modified duty assignments in accordance with their medical limitations when such work is available. If a modified duty assignment is unavailable for an employee, the employee will be required to use leave. This policy will in no way be construed to mean that modified duty is guaranteed.

In general, modified duty assignments are restricted to a maximum of twelve (12) weeks; however, the Sheriff or Undersheriff may extend the period of time if it is in the best interest of the Office of the Sheriff in accomplishing its mission, there is a documented, anticipated and reasonable date for a return to full duty and meaningful work is available.

B. Modified duty assignments will be coordinated through the employee's Division Commander with the approval of the Sheriff or Undersheriff. The procedures for considering or placing an employee in a modified duty position are as follows: