

958 Limited Duty, Extended Limited Duty, Return to Work, and Pregnancy

958.2 DEFINITIONS

Limited Duty - A temporary, limited term assignment not requiring performance of the full range of duties associated with the regular job classification due to medical limitations or restrictions.

Extended Limited Duty - An extension of Limited Duty status for non-probationary, sworn employees who have been on Limited Duty in excess of a cumulative total of 1,040 hours as a result of an on-duty or off-duty injury or illness.

Return to Work Program (RTW) - A City of Austin program that attempts to locate alternate job placement within the Department or City for [civilian](#) employees who can no longer perform the essential functions of their job due to:

- (a) A compensable injury or illness; or
- (b) An off-duty injury or illness that is designated as meeting the definition of a disability under ADA, ~~and,~~
 - 1. ~~The employee is non-sworn (as per City policy); or,~~
 - 2. ~~The employee is sworn and has been designated not physically or mentally fit by the process set forth in Texas Local Government Code 143.081.~~

958.3 LIMITED DUTY GUIDELINES

958.3.1 SWORN EMPLOYEES

All Limited Duty assignments for sworn personnel shall be coordinated through the APD Risk Management Unit and adhere to the following guidelines:

- (a) Sworn employees shall be notified in writing by Risk Management of any approved, modified or canceled Limited Duty assignment.
- (b) Sworn employees wishing to be assigned to a Limited Duty assignment different than that identified by Risk Management must receive prior approval from the employee's chain-of-command and APD Risk Management.
 - 1. Consideration for any special Limited Duty assignments, including requests to keep a sworn employee in his current work assignment, shall be based on written justification by the sworn employee's supervisor.
 - 2. The sworn employee's supervisor shall complete a *Request to Keep Limited Duty Employee* (PD0061) and forward it up the chain-of-command for approval.
 - 3. Upon approval by the sworn employee's chain-of-command, completed forms shall be forwarded to the APD Risk Management supervisor for final approval, with the following exception:
 - (a) Sworn employees expected to remain on Limited Duty for no more than two (2) consecutive weeks shall be allowed to stay in their current work assignment with the approval of their commander.
- (c) The supervisor to whom the Limited Duty sworn employee is assigned shall complete a *Limited Duty Assignment Evaluation* to document the employee's performance and forward it to the employee's regular duty supervisor and APD Risk Management.
- (d) Sworn employees may remain on Limited Duty status for no more than a cumulative total of 1,040 hours per incident of injury or illness.
 - 1. At least thirty (30) days before the expiration of a cumulative total of 1,040 hours of Limited Duty, the employees' physician must submit a written report to the APD Workers' Compensation Office indicating a reasonable anticipated date to return to Full Duty.
 - 2. If a sworn employee's physician determines that the employee cannot return to Full Duty after the initial 1,040 hours, sworn employees may request an Extended Limited Duty assignment as outlined in this order. The Chief may approve the Extended Limited Duty assignment or invoke the fitness for duty process outlined in Texas Local Government Code 143.081.
 - (a) If a sworn employee is not approved for a Limited Duty or Extended Limited Duty assignment and is designated not physically or mentally fit for duty by the process

outlined in Texas Local Government Code 143.081, employment may be terminated. ~~Prior to termination the employee can be referred to the Return to Work (RTW) Program if the below conditions are met:~~

- ~~1. **Compensable on-duty injury or illness** will automatically qualify the employee for the RTW program. If the sworn employee elects to participate and is enrolled into the City of Austin RTW Program, the first 90 days shall be for placement within the Department. If no Departmental placement is found, the second 90 days shall be for placement in other city departments. If no placement is found, employment may be terminated~~
- ~~2. **Off-duty injury or illness** requires an ADA Committee review — If the sworn employee is eligible and elects to participate in the City of Austin RTW Program, enrollment will be for the designated days allowed by the COA RTW policy for this classification of injury/illness. If no placement is found, employment may be terminated.~~