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# ERG

EMPLOYEE RELATIONS GROUP

# HAVE YOU GOT A MINUTE?

A Newsletter From ERG | June 9, 2016 (Revised)

## IOD APPOINTMENTS: WHAT YOU NEED TO KNOW

Police work is hard on our bodies. We do things that are physically demanding that make the risk of injury very real. Things like foot pursuits, uses of force, traffic collisions, and just years of wearing heavy equipment belts can lead to a duty related injury – Injury On Duty (IOD). These IOD injuries happen to all ranks in all commands and when they happen, the most important thing is helping our employees get the treatment they need to return to health.

Many employees have experienced, are experiencing, or will experience the world of IOD. In this Newsletter, we will look at one very important element of the IOD process – the IOD appointment.

Both management and employees have certain responsibilities regarding IOD appointments. The successful conclusion of an IOD experience requires both parties to be diligent in their responsibilities to ensure both the injured employee gets the treatment they need to return to health and that the benefits and rules negotiated to protect the taxpayers interests are not abused.

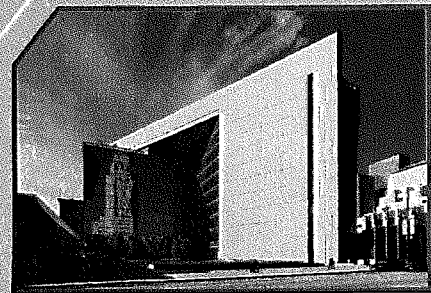
There are significant differences between workers comp/IOD rules for sworn and civilian employees. Since the majority of IOD injuries occur to sworn employees, we will look at the rules and responsibilities associated with sworn officers<sup>1</sup>.

### Officers Responsibilities:

Since an IOD injury is work related, IOD medical appointments with doctors, physical therapists or other treatment should *normally* be done during duty hours. No one should have to spend their personal off-duty time going to IOD appointments unless it truly can't be avoided.

<sup>1</sup> For workers compensation rules and benefits for civilian employees, contact Medical Liaison Section, Personnel Division.

LOS ANGELES POLICE DEPARTMENT



### NOTE FROM THE EDITOR:

Welcome to the second edition of the Employee Relations Group Newsletter "Have You Got a Minute?" This newsletter is designed to provide information about various employment rules, MOU interpretations, leadership engagement, and other matters to help employees and supervisors be more effective. Topics will vary and we are always open to suggestions for newsletter topics. Send your comments and suggestions to [ERG@LAPD.lacity.org](mailto:ERG@LAPD.lacity.org). Thanks for taking a moment with ERG.

Editor

# IOD APPOINTMENTS

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When you schedule your appointment you are required ("shall") to notify your watch commander or OIC of the date and time of the appointment so they can ensure it is feasible to do it during on-duty hours. Notification needs to be done in a reasonable time frame. Don't wait until the day of the appointment to make the notification. You should do it no later than the next working day after you make the appointment. You should also include that information when you submit your days off request. Advance notification gives your boss the chance to deploy properly to cover any time you will be missing.

**Okay, so how much time do you get for an IOD appointment?** Per MOU 24 (Lieutenants and Below) Article 6.9, you are allowed *up to* four (4) hours of on-duty time for medical appointments. The City covers you for four hours. Most appointments take much less than four hours. When it takes less than four (4) hours, you return to work to finish your shift. If you don't want to return to work, you need to get approval from your watch commander or OIC and deduct the hours with vacation or CTO time. If it is one of those busy days at the doctor that takes more than four (4) hours and it is still during your shift, you will have to use vacation or CTO time to cover the additional time.

**What about travel time to and from appointments?** Travel time to and from is considered part of the medical appointment time.

**It's easy to stay under four hours if the appointment is near the station but what if my appointments are near my home?** If your appointments are near your home, you should schedule the appointment so that it *ends* at what would be your normal end of watch. For example, you have a one hour physical therapy appointment and your EOW is 1600 hours. Schedule the appointment for 1500 hours and then add in the travel time so you leave early enough to arrive on time. If it takes an hour to get to the location, you leave work at 1400 hours and only two (2) hours are necessary for the appointment. *Per the MOU, you will also get two hours of straight time compensation for a combined total of four (4) hours.* An alternative would be to reverse this plan and schedule the appointment at your start of watch time. So, again, it should only use two (2) hours of work time *plus the two (2) hours of straight time.* *Unless that is the only time available, it wouldn't make sense to schedule such an appointment in the middle of work shift as that would be a lot of unnecessary travel time.*



## NOTE:

IOD appointments should be scheduled for your regular work day and hours. Off hours appointments should be rare and only when absolutely necessary.



# IOD APPOINTMENTS

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## Managers and Supervisors Responsibilities

As managers and supervisors our number one concern needs to be for the health of our employee. We need to support all efforts to get them healthy and returned to full duty. IOD injuries will happen. When they do we must help our employees recover and ensure the rules are followed properly but not in such a harsh manner as to impede the recovery of the employee. Here are some key things to do right:

1. When an employee is first injured, discuss with them the rules and the process for IOD appointments (see above). Make sure they understand their responsibilities and how you will help them get back to health.
2. Advise and facilitate employees scheduling their IOD appointments during work hours. Facilitate – not control. We can't schedule the appointments for them. Encourage employees to schedule appointments that meet their needs and lessen the impact on others at work.
3. Don't contact the medical provider directly to see when appointments are available. Only TRISTAR can do that and it's not our job.
4. You can ask for *written* proof of attendance at a medical appointment. The best time to ask is before the appointment. If you need to ask after an appointment, consider having the officer get the note faxed to the your station/workplace to avoid unnecessary travel back to the health care provider. You can also ask TRISTAR to acquire *written* proof of attendance.
5. If it is necessary to reasonably accommodate an employee's IOD treatment, temporarily loan the employee to a shift that allows the medical treatment to occur during work hours. When the employee returns to full duty, put them back on their original shift. *Such temporary loans must be based on facts and can't be done capriciously or arbitrarily.*
6. Do not adjust the employee's start of watch to accommodate an appointment. The three hour adjustment rule is for operational needs not administrative ones. If the employee volunteers to adjust time and you are okay with the adjustment, you can approve their request but you can't order an adjustment.
7. Find duties and jobs that reasonably accommodate medical restrictions. Any work an employee can do is helpful to the command. It frequently also helps an employee to be at work with friends and colleagues doing something useful rather than being isolated at home. We need to be flexible and find ways for employees to still contribute while they recover.

Managing IOD recovery and medical appointments requires both employees and management to work together to follow the rules to encourage the healthy recovery of the employee while minimizing the impact and costs to the Department.



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