



## CRYSTAL POLICE DEPARTMENT

### Department Policy Manual

TITLE: On-Duty Injuries

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#### PURPOSE & SCOPE

The purpose of this policy is to provide for the reporting of on-duty injuries, occupational illnesses or deaths to the City Department of Human Resources, to ensure proper medical attention is received and document the circumstances of the incident.

#### DEFINITIONS

**ACCIDENT** – any occurrence from which bodily injury or property damage may result, regardless of whether any injury or damage actually does occur (e.g. exposure where no immediate injury is apparent).

**OCCUPATIONAL DISEASE** – a disease arising out of and in the course of employment that is peculiar to the occupation in which the employee is engaged and due to causes in excess of the hazards ordinary of employment and shall include undulant fever.

**PERSONAL INJURY** – an injury arising out of and in the course of employment, including personal injury caused by occupational disease, while engaged in, on or about the premises where the employee's services require the employee's presence as a part of that service at the time of the injury and during the hours of that service.

Personal injury does not include an injury caused by the act of a third person or fellow employee intended to injure the employee because of personal reasons and not directed against the employee as an employee or because of the employment.

#### POLICY

##### EMPLOYEE'S RESPONSIBILITIES

An employee observing or learning of a potentially hazardous condition is to promptly report the condition to his/her immediate supervisor.

An employee sustaining a work-related injury or illness that requires relief from duty is required to be examined and treated by a physician.

An employee sustaining a work-related injury or illness that requires relief from duty is also required to comply with department policies and directives relating to the duty to periodically call in during absences in addition to the duty to notify the department of any change in condition or anticipated duration of the absence.

When appropriate, an employee being treated for an on-duty injury should inform the attending physician that a modified-duty assignment may be available at the department.

Modified-duty may be available for employees whose injuries prevent resumption or regular duties.

An injured employee or employee who has suffered a work-related illness shall report as soon as practicable to his/her immediate supervisor the medical findings concerning the injury and the extent and duration of any work restrictions if they are known. In addition, such employees are required to promptly submit all medical releases, whether partial or full releases, to their supervisor.

#### **SUPERVISOR RESPONSIBILITIES**

A supervisor learning of any work-related injury, illness or accident should promptly complete a Supervisor's Accident/Incident Report form and a First Report of Injury Form/Incident/Injury/Illness Data Form to be forwarded to the Deputy Chief or designee.

Updated copies of forms with instructions for completion, provided by the Worker's Compensation Coordinator, shall be kept in the common police computer drive (G drive).

Any occupational injury, illness or accident in which an employee is killed or more than three employees are hospitalized shall be reported within eight hours to the Minnesota Department of labor and Industry (800-342-5354) or if after business hours, to the federal Occupational Safety and Health Administration (800-321-6742) pursuant to 29 CFR § 1904.

#### **LIEUTENANT RESPONSIBILITIES**

A lieutenant receiving a report of a work-related accident or injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Deputy Chief.

#### **DEPUTY CHIEF OF POLICE RESPONSIBILITIES**

The Deputy Chief shall review and forward copies of the report to the Department of Human Resources. Any copies of the report and any related documents retained by the department shall be filed in the employee's private medical file and not in the employee's personnel file (see Personnel Files Policy). The Chief of Police shall be notified of all injuries.

#### **SETTLEMENT OF INJURY CLAIMS**

Occasionally, an employee's work-related injury results from the negligent or wrongful acts of another, for which the employee, the city and/or other insurers are entitled to recover civilly. To ensure that the city's interests are protected and that the employee has the benefit of the city's experience in these matters, the following procedure is to be followed:

1. Employee Initial Contacts – when an employee sustains work-related injuries caused by another person and is then approached by such person or an agent, insurance company or attorney and offered a settlement of claims, that employee shall take no action other than to make a written report of this contact to his/her supervisor as soon as practicable.
2. No Settlement Without Prior Approval – no less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an on-duty injury, the employee shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the employee accept a settlement without first providing such written notice to the Chief of Police. The purpose of such notice is to permit the city to determine whether the offered settlement will affect any claim the city may have regarding payment for damages to equipment or reimbursement for wages against the person who caused the accident or injury, and to protect the city's right of subrogation, while ensuring that the employee's rights to receive compensation for injuries are not affected.