

# PHOENIX FIRE DEPARTMENT

## VOLUME 1 – Operations Manual

### INDUSTRIAL LEAVE

MP103.06 04/06 - R

#### **PURPOSE**

This procedure defines Industrial Leave and identifies the responsibilities of each member, Battalion Chiefs, and the Health Center in the management of Industrial Leave.

For information on Personal Injury Reporting/Industrial Injury Reporting refer to M.P. 110.02.

Definition: {REF: Personnel Rule 15.f3}

A. "Industrial Leave" is defined as absence from work as the result of:

1. An injury by accident arising out of and in the course of City employment, as defined by the Workmen's Compensation Laws of the State of Arizona.
2. Those occupational diseases arising out of and in the course of City employment as-refined by the Occupational Disease Laws of the State of Arizona.

"Net Take-Home Pay" is defined as the bi-weekly base rate of pay for a full time employee, less deductions for federal and state income tax, social security tax and pension plan contributions. It does not include earnings for bonus pay, overtime differential, stand-by pay or any other pay that is normally not a constant condition of work for the class. In no event shall "net take home pay" be less than the amount the employee or Police

Reserve Officer is entitled to under the State Workers Compensation Laws.

All members are covered by the Industrial Commission of Arizona for injuries arising out of and in the course of employment unless coverage was waived prior to injury. (Ref: Personnel Rule 15.f4)

The member must meet the following requirements in order to qualify for Industrial Leave:

The member shall submit to an examination or treatment by a physician at the Fire Department Health Center, or an emergency room if the injury occurs after hours. When a member is released by an emergency room physician after regular Health Center hour, the member must report to the Health Center on the next regular Health Center workday to be released from work by the Fire Department physician. All required industrial forms shall be completed and forwarded to the Fire Department Health Center within four (4) calendar days.

For specific information and guidelines relating to each Industrial Injury Form, responsibility for completion, and forwarding, refer to M.P. 110.02: Personal Injury Reporting.

One of the required industrial forms the member must complete is an agreement directing that all warrants for compensation issued by the State Compensation Fund shall be forwarded through channels to the City Comptroller to endorse such warrants on the member's behalf and to cash the same. (Ref: Personnel Rule 15.f4B)

If the injury is sustained due to a motor vehicle accident, animal bite or assault, an additional form: the Third Party Agreement, (60-28D) shall also be completed and forwarded.

If the member elects to sue a third party defendant involved in the accident, and if he/she proceeds against such other person, the City of Phoenix shall have a lien on the amount actually collectible from such other person to the extent of the monies paid by the City of Phoenix over and above the Workmen's Compensation, medical, surgical and hospital benefits paid by the State Compensation Fund. (Ref: Personnel Rule 15.fC)

This amount actually collectible shall be total recovery less the reasonable necessary expenses including attorney fees actually expended in securing such recovery and less the amounts to be paid to the State Compensation Fund. (Ref: personnel Rule 15.f4C)

## **ENTITLEMENT**

A certified permanent full time member who works a schedule at full time fifty-two weeks of the year who is disabled and absent from work as a result of an industrial injury or occupational disease should be kept on the City payroll and be paid an amount equal to but not to exceed his/her regular net take home at the current rate of pay for up to one year total per injury. (Ref: Personnel Rule 15.fl)

Leaves of absence compensated by the Industrial Commission of Arizona in excess of one year per injury (2,912 hours for 56 members; or 2,080 hours for 40 hour members) shall not be considered as paid leave.

Members returning to light or full duty after exhausting their 2,912/2,080 hours will have their leave accrual reinstated, but any additional time off due to the original injury will not be considered as paid leave. (Ref: Personnel leave 15.bl)

## **MEMBER RESPONSIBILITIES**

Members must report industrial injuries to their immediate supervisor as soon as possible after the injury occurs. If the injury manifests itself after the shift is completed, one must report to the Fire Department Health Center. For specific information and guidelines, refer to M.P. 110.02: Personal Injury Reporting.

Members placed on Industrial Leave by a licensed physician other than the Fire Department Health Center physician shall report to the Fire Department Health Center for evaluation as soon as physically possible during a normal weekday.

In the case of a minor injury treated at a facility other than the Fire Department Health Center, but not causing any lost time or requiring any further medical treatment, all required industrial forms and medical treatment slips will be forwarded to the Fire Department Health Center after completion by all responsible parties.

## **SUPERVISOR RESPONSIBILITIES (Minor Injury)**

NOTE: THE ALARM ROOM SHALL BE NOTIFIED OF ALL INJURIES REQUIRING ANY LEVEL OF TREATMENT SO THAT PROPER NOTIFICATION CAN BE MADE.

If the injury occurs during normal business hours:

- Arrange transportation for member to the Fire Department Health Center(s) for evaluation or treatment of an Industrial Injury.
- Notify next level supervisor.
- Notify Battalion Chief and Safety Section via C.A.D. Terminal.

If the injury occurs after normal business hours, weekends or holidays:

- Contact the Alarm Room. The Alarm Room will notify the on call Health Center representative who will contact the injured member and assist with instructions.
- Notify next level supervisor.
- Notify Battalion Chief and Safety Section via C.A.D. Terminal.

### **SUPERVISOR RESPONSIBILITIES (Serious Injury)**

- Contact the Alarm Room for any additional Fire Department resources needed (i.e., ALS, Ambulance)
- Initiate treatment, and transport member to the closest appropriate medical facility.
- Notify next level Supervisor.
- Notify Battalion Chief and Safety Section via C.A.D. Terminal.

### **AT HOME RECUPERATION**

Members on Industrial Leave must remain at home in a recuperative manner. Time to consult with a physician, attend therapy or other special types of treatment will be allowed. Written verification slips shall be obtained from the attending physician and forwarded to the Health Center.

Other exceptions may be allowed with prior approval from the Fire Department Health Center Deputy Chief.

Members shall not engage in any outside work while on Industrial Leave. Members may not engage in recreational activities unless prescribed by a treating physician.

Members who are on Industrial Leave may NOT TRAVEL OUT OF THE STATE without permission from the Industrial Commission of Arizona and the State Compensation Fund.

### **RECUPERATION OTHER THAN AT HOME**

Members who will be recuperating at a place other than their residence shall notify the Fire Department Health Center of their location and a phone number at which they can be reached.

**Follow-up:** Members on industrial leave for more than 45 days shall report to the Fire Department Health Center for a consultation with the Fire Department Physician. The Health Center will contact the injured member for an appointment with the physician. The purpose of the consultation is to assess the progress of the rehabilitation efforts and to anticipate the member's return to light duty. Members on industrial leave for three months or more shall be placed in a light duty position for a period of time to assure full rehabilitation to the Fire Department's satisfaction.

## **PROOF OF MEDICAL TREATMENT**

Members who are on either Industrial Leave or who have been released to light duty shall provide a physician's slip for all medical treatments or evaluations. Any leave taken from duty for such purposes will require both a PPMIS Leave Request form (60-32D) and a physician's slip in order for the leave to be approved.

When a member returns to either regular duty or to a light duty assignment, he/she must provide a release from all treating physicians. **THE MEMBER WILL REPORT DIRECTLY TO THE FIRE DEPARTMENT HEALTH CENTER AND TURN IN DOCTORS SLIPS ALONG WITH ALL OTHER MEDICAL RELEASE/TREATMENT FORMS.** If the member has been released only to a light duty assignment, he/she will be assigned to a light duty position (when available) by the Fire Department Health Center Physician.

At this time, the member will also sign the PPMIS Leave Request (60-32D) which has been prepared after consultation with the HEALTH CENTER.

## **HEALTH CENTER RESPONSIBILITIES**

Health Center will monitor the member's progress via weekly contact from the member.

All contact with members on Industrial Leave will be documented and forwarded to the Health Center Section Head on a weekly basis.

When the member returns directly to regular duty after being on Industrial Leave, the Health Center will ensure that all medical treatment/release forms are attached to the PPMIS Leave Request Form (60-32) and will send copies of ALL these forms to the proper battalion chief. When a member is released to light duty all leave documentation while on light duty becomes the responsibility of the district or section where the member is assigned.

The Health Center Section Head will coordinate Industrial Leave with the City Safety Officer and the Fire Department Health Center, and assist the Battalion Chiefs and Section Heads with issues that may arise.