3-02/040.05 - Occupational Injury/Illness

When an employee, including a reserve deputy, is injured or becomes ill due to job related activities, the unit commander shall be notified as soon as possible and the following procedures shall apply;

In the case of employee exposure to the bodily fluids of persons in custody, refer to section 3-02/040.30 for additional notifications and procedures.

Employee's Responsibility

- An employee who sustains an on-duty injury/illness shall report the circumstances to his/her supervisor as soon as possible. If the injury or illness is non-emergent, the employee shall notify his/her unit supervisor prior to seeking medical attention and receive approval for a designated physician or medical facility where treatment will be obtained;

- Employees requiring medical attention when off duty for an incident that occurred on duty, but not attended to, shall immediately notify their supervisor;

    - Pre-designated personal physicians, named in writing by the employee, must be listed in the employee's unit file before they are acceptable to treat the employee; and

    - Approval from Workers' Compensation is mandatory in those cases where treatment is administered by other than a licensed physician. The approval procedure shall be coordinated through the Disability Management and Compliance Unit;

- When receiving medical treatment for an industrial injury, the employee should comply with the doctor's instructions. Failure to do so may result in the employee's becoming responsible for all medical bills;

    - If surgery of a non-emergency nature is required, the Disability Management and Compliance Unit must be contacted in advance;

- When no medical treatment appears to be necessary at the time of a documented injury and the employee later finds that treatment is necessary, he/she should consult one of the physicians authorized by the County with approval of a supervisor;

- An employee may refuse medical treatment. This action does not waive the right to request treatment if the injury causes future distress; however, the employee may be required to assume all financial responsibility for medical costs if he/she later goes to a physician and neglects to report same to his/her supervisor within 24 hours;

- When able to do so, the employee shall take the Medical Service Order (76M119F) to the authorized physician, have him/her sign both copies, and return the orders to his unit commander, who shall forward them to the Disability Management and Compliance Unit;

- The employee shall notify the unit commander of the name, address and telephone number of the attending physician and keep him/her apprised throughout the period of treatment;

- During the recovery period, the employee shall remain at his/her residence for the time period that would constitute an eight-hour tour of duty;

- Personnel who are unable to report to work due to an industrial injury/illness (more than five consecutive workdays) shall be placed on an "A" schedule (Monday through Friday) from 0830 to 1700 each day. The employee is required to remain at his/her residence during these hours. A waiver from this policy for short periods of time for doctor appointments, therapy, etc., may be obtained with prior approval of the employee's unit commander or operations lieutenant; and prior to returning to work, the employee shall obtain a physician's release authorizing the return to work and, as soon as possible, notify the unit commander of the contents of the medical release. The release shall be submitted to the unit commander prior to the employee's first shift upon return to work. Approval for return to work shall be contingent upon review of the medical release.

Supervisor's Responsibility

- In all cases of emergencies involving serious injury or illness, the supervisor shall have the employee treated by the nearest physician or medical facility;

- A supervisor shall accompany the employee to the medical facility. The supervisor shall ascertain the extent of the injury or incapacitation as well as the attending physician's opinion regarding the employee's ability to fill a temporary modified-duty assignment. The type of modified-duty assignments available, both at the employee's unit and other Bureaus, shall be explained to the physician;

- The supervisor shall, with all due diligence and priority, conduct a thorough investigation into the facts surrounding the employee's injury. Statements from witnesses, photographs, video documentation, information on third-party involvement, site and equipment inspection, employee statements, and any supporting documents should all be considered as parts of a complete investigation;

- When the injury or incapacitation is non-emergent but requires medical treatment, the supervisor shall offer the employee a choice of the medical facilities listed in the County of Los Angeles Directory of Physicians of Industrial Injury;

    - If the employee has notified the Department in writing prior to the date of the injury or illness that he has a licensed personal physician, the employee may be treated by his/her physician from the date of injury;

- In all cases of reported on-duty injuries, supervisors shall provide the injured/ill employee with an Employee's Claim for Worker's Compensation Benefits form (DWC Form 1) within 24 hours;

- In those instances wherein the circumstances surrounding the incident are also the subject of an SH-R49 report, the supervisor shall assure that in addition to all other elements contained in the report, the nature and cause of the injury or illness shall be fully detailed. This includes names and statements of witnesses and any other pertinent observations;

- Upon completing the investigation, the supervisor shall complete a SH-AD-92 and an Industrial Injury/Illness Investigation form (SH-AD-666), and submit both to the Disability Management and Compliance Unit within three days of the injury or illness. In the case of a Thursday night injury, the injury report shall be FAXED to the Disability Management and Compliance Unit and the originals delivered

as soon as possible;

Distribute as follows:

- Original and three copies each SH-AD-92 and SH-AD-666 to the Disability Management and Compliance Unit, via division headquarters; and
- One copy for the unit file;
- If the injury/illness is of a nature that caused an Incident Report (SH-R-49), Supervisors' Report of Damage to County Vehicle or Permittee's Vehicle (SH-R- 257), or other report to be completed, copies of such report shall be forwarded with the SH-AD-92 and SH-AD-666 to the Disability Management and Compliance Unit as soon as possible;
- The Medical Service Order (76M119F) shall be prepared and provided to the authorized attending physician. After being signed by the physician, the form shall be forwarded to the Disability Management and Compliance Unit;
- When an employee refuses medical treatment following an industrial injury or refuses treatment by physicians authorized by the County, a notation of this fact shall be made in the SH-AD-666;
- In those cases where the nature of the claimed injury/illness is the result of long- range causation, e.g., heart condition, hearing loss, etc., the supervisor shall conduct an investigation to the extent possible in such cases.

Unit Commander's Responsibility

- In any fatal or serious injury case, the unit commander shall be responsible for immediately reporting all relevant information concerning the occurrence to the Disability Management and Compliance Unit and the Sheriff’s Information Bureau. During weekends, holidays, and times other than regular business hours, the Sheriff’s Information Bureau will contact the on-duty Disability Management and Compliance Unit representative;
- The unit commander, as soon as it is medically permissible, shall personally contact the employee to determine his condition and if any assistance might be rendered;
- When an employee is absent from work five days or more, the unit commander shall cause the employee to be notified telephonically and confirmed by letter that he has been placed on an "A" schedule (Monday through Friday) from 0830 to 1700 each day. The employee shall be required to remain at the location which Department records indicate to be that employee's residence at the time of illness/injury during these hours. The employee shall also be directed to be personally available to respond to any official telephonic and/or direct contacts by the Department. Permission to be excused from the requirement to remain at the official place of residence for any period of time longer than 24 hours may be given by the unit commander or, in his extended absence, the acting unit commander; when an employee is off duty recovering from an off-duty injury or illness, the unit shall make regular contact with the employee throughout the recovery process. Any changes in the status of the employee’s medical condition, financial outlook, or morale shall be reported to the unit commander, and a remedy for the problem will be sought on the employee’s behalf. If available benefits are in question, this issue

shall be coordinated with the Disability Management and Compliance Unit;

- The unit commander shall designate a representative who shall be the unit contact person for personnel off work due to industrial injury or illness. In cases where there is traumatic injury or illness, hospitalization, or family member in need of assistance due to incapacitation of a Department member, the unit designee may contact the Disability Management and Compliance Unit representative and request assistance. In all cases where an employee is absent from work for five days or more, the unit designee shall make contact and determine the status of the injured/ill employee and document the anticipated recovery time. The contacts may be made telephonically or, when appropriate, in person;

    - The person so designated by the unit commander shall also have the responsibility of establishing and maintaining liaison between the concerned employee, the Disability Management and Compliance Unit representative, and the unit commander. This liaison shall have as its objective the facilitation and clarification of necessary communication between the parties mentioned above. It will be the goal of this liaison to expedite the return to work of injured/ill personnel upon recovery;

- The employee's physician of record shall be contacted by letter to determine and document the prognosis and anticipated period of recovery. The physician shall be made aware of modified duty assignments available. If the employee does not return to duty within the anticipated recovery time, the physician shall be contacted again, and the latest estimate of recovery will be determined. This procedure will be repeated each time the period of recovery is extended;

    - The letters (see section 7-01/000.00) and physician’s evaluations for return to duty are guides and may be modified to meet different criteria;

- When an employee becomes ill or injured, either service connected or non- service connected, and is unable to work for a period of five days or more, their name shall appear on an Absence Follow-Up Report (SH-R-302). Each Absence Follow-Up Report shall begin on Sunday and cover a seven-day time span to the following Saturday. Any employee name appearing on the Absence Follow-Up Report shall be carried forward each week until they can be shown as having returned to work, retired, resigned, or transferred. Transferred employee names shall include the new unit of assignment. Relieved of duty personnel shall not be shown on this report. Each unit shall submit the report to their division headquarters on Monday. Headquarters units are responsible for their employees on a separate report. Division headquarters shall submit each original Absence Follow-Up Report and two copies to the Disability Management and Compliance Unit by Wednesday of each week. This report, signed by each unit commander, will include the following information:

    - Employee's name;

    - Employee's present condition;

    - Any change in place of recovery;

    - Last date employee contacted;

    - Last date employee worked;

- Expected date of return;
- The name of the physician of record/last date seen; and
- The physician's opinion on the employee's ability to perform in a temporary modified-duty assignment;

- Should the employee subsequently be absent as a result of the same injury or illness, a SH-AD-32A shall be submitted within 24 hours of the subsequent absence. The memo shall be prepared by the unit commander and shall contain, in addition to the regularly required follow-up information, the date of the original industrial injury (use SH-AD-666). The memo shall be forwarded to the Disability Management and Compliance Unit via division headquarters;

- When an employee is temporarily unable to return to full duty, the unit commander shall make a modified-duty assignment available as follows:
  - Contact the attending physician to obtain a medical opinion on the employee's length of recovery and ability to perform in a temporary assignment;
  - Obtain a written medical release to return to duty from the physician; and
  - Direct the employee to return to temporary duty;

- Units encountering difficulty in obtaining information from a physician should contact the Disability Management and Compliance Unit for assistance.

Disability Management and Compliance Unit's Responsibility

- The Disability Management and Compliance Unit shall be notified of all serious industrial injuries or illnesses to a Department member. The Disability Management and Compliance Unit representative for the employee's unit shall:

Coordinate employee's claim for:

- Workers' compensation benefits;
- Long-term disability benefits;
- Peace Officer's Relief Fund;
- Sheriff's Relief benefits;
- Retirement benefits; and
- Any other insurance benefits accrued.

Offer direct assistance to the unit in assessing the employee's needs and the appropriate response by the unit

for the employee.

Begin to develop a return-to-work strategy with the unit for the employee.