



**TEXAS SOUTHERN UNIVERSITY
DEPARTMENT OF PUBLIC SAFETY**



STANDARD OPERATING PROCEDURE

SUBJECT Temporary Alternative Assignments		NO. OF PAGES: 3
REFERENCE:	EFFECTIVE DATE: Jan. 1, 2009	REVIEW DATE: N/A
General Order 018	SPECIAL INSTRUCTIONS/SUPERSEDES:	ISSUING AUTH.: Chief of Police

PURPOSE: To establish the authority for temporary alternative assignments and procedures for granting such assignments to eligible officers, guards and civilian personnel.

Temporary alternative assignments, when available, are for eligible personnel who, because of limited impairment, are temporarily unable to perform their regular essential job functions but are capable of performing alternative assignments.

A. Definitions:

1. Temporary alternative assignment: Not considered a fixed duty position requiring budgetary support. Is a modification of an employee’s present position that does not require performing all of the essential job functions. An assignment in which the employee has no proprietary right, but is based upon a business need and not upon a medical need. Managed based on conditions such as minimum staffing levels, work hours, shift scheduling, coverage of districts/zones, and special assignments. Created, re-designed and changed based upon the needs of the department.
2. Eligible personnel: Any full time commissioned, non-commissioned or civilian member of this department who, because of limited impairment, is temporarily unable to perform their regular essential job functions, but is capable of performing alternative assignments.
3. Family and Medical Leave Act (FMLA): Federal law providing for up to 12 weeks of annual leave for workers in addition to leave provided by this agency due to illness, injury or certain other family conditions/situations.

B. General Provisions:

1. Temporary alternative duty positions are limited in number and variety. Therefore, personnel injured or disabled in the line of duty shall be given preference in initial assignment to temporary alternative duty.
2. This policy in no way affects the privileges of employees under provisions of the Family and Medical Leave Act, Fair Labor Standards Act, Americans with Disabilities Act, or other federal or state law.

3. Assignment to temporary alternative duty shall not affect an employee's pay classification, pay increases, promotions, or retirement benefits.
4. No specific position within this agency shall be established for use as a temporary alternative duty assignment, nor shall any existing position be designated or utilized exclusively for personnel on temporary alternative duty.
5. Temporary alternative duty assignments are strictly temporary. Personnel on temporary alternative duty who are not capable of returning to their original duty assignment shall:
 - a. Present a request for extension of temporary alternative duty, with supporting documentation,
to the Chief of Police; or
 - b. Pursue other options as provided by employment provisions of the University or federal and state law.
6. Depending upon the nature and extent of the impairment, an employee on temporary alternative duty may be prohibited or restricted from wearing the department uniform, carrying the service weapon or otherwise limited in employing police powers as determined by the Chief of Police.
7. Temporary alternative duty assignments shall not be made for disciplinary purposes.

C. Temporary Alternative Duty Assignments:

1. Temporary alternative duty assignments may be drawn from a range of technical and administrative areas that include but are not limited to the following:
 - a. Administrative functions
 - b. Clerical functions
 - c. Desk assignments
 - d. Report taking
 - e. Communications
2. Decisions on temporary alternative duty assignments shall be made based upon the availability of an appropriate assignment given the applicant's knowledge, skills and abilities, and availability of temporary duty assignments. Temporary alternative duty assignments will be made based on open or available positions and may be reviewed every 30 days. Positions will not be created for temporary alternative duty assignments.
3. Every effort shall be made to assign employees to positions consistent with their rank classification. However, where deemed appropriate, personnel may be assigned to positions designated for personnel of lower rank classification. Employee thus assigned shall:
 - a. Retain the privileges of their rank but shall answer to the supervisory officer of the unit to which they are assigned with regard to work responsibilities and performance and;
 - b. Retain the pay classification and related benefits of the position held prior to their assignment to temporary alternative duty assignments.

D. Requests for and Assignment to Temporary Alternative Duty:

1. Requests for temporary alternative duty assignments shall be submitted to the employee's immediate supervisor. Requests must be accompanied by a statement of medical certification to support the impairment which must be signed either by the treating physician or other licensed health care provider. The certificate must include an assessment of the nature and probable duration of the impairment, prognosis for recovery, nature of work restrictions, and an acknowledgement by the health care provider of familiarity with temporary alternative duty assignment and the fact that the employee can physically assume the duties involved.
2. The request for temporary alternative duty and the physician's statement shall be forwarded to

- the Chief of Police who shall make a recommendation regarding the assignment.
3. This agency may require the employee to submit to an independent medical examination by a health provider of the agency's choosing.
 4. An employee who has not requested temporary alternative duty may be recommended for such assignment by submission of a request from the officer's immediate supervisor or commander. This type of request shall be supported by the same statement of medical certification required in D-1 above.
 5. As a condition of continued assignment to temporary alternative duty, employees shall be required to submit to monthly physical assessments of their condition as specified by the personnel authority.

E. Attachments:

1. The Texas Southern University Department of Public Safety – Temporary Alternative Assignment.
2. The Texas Southern University Department of Public Safety – Physician Report for Temporary Alternative Assignment.

APPROVED:

Roger Byars
Chief of Police

Date

Review and Responsibility

Responsibility Party: Texas Southern University Department of Public's Safety's Command Staff

Review: Review will be conducted every even numbered

Retention: Original on file in the Office of the Chief of Police

Approval: Roger D. Byars, Director for Public Safety/Chief of Police

Date of Approval: September 1, 2008