



City of Cambridge Police Department

Office of the Chief of Police

HEADQUARTERS

ADDRESS ALL COMMUNICATIONS TO
5 WESTERN AVENUE, CAMBRIDGE, MASSACHUSETTS 02139

June 3, 1983



TELEPHONE
(617) 498-9300

MEMO TO ALL CITY COUNCILLORS

Pursuant to your request at the Police Department's Budget Hearing on May 25, please find copies of the Department's new policies on sick leave and detail procedures.

As you may know, the Police Association contract allows for police officers to take unlimited sick leave. However, it reserves the right of the Chief of Police to verify the need for such leave and requires police officers to submit medical documentation in many cases. The sick leave policy, which was negotiated with the Association over the course of the past few months, specifies the administrative procedures that must be followed to be eligible for the benefit of sick leave and the schedule of discipline that will be applied for undocumented sick leave.

While the policy is still awaiting final approval from the Association's Executive Board, its basic provisions have been in effect since January 1, 1983.

In comparing the sick leave statistics for the first four (4) months of 1982 with the first four (4) months of 1983, we have discovered that sick leave useage has decreased by 26% between the two periods.

January 1, 1982 through April 30, 1982 - 1,107 total sick leave shifts

January 1, 1983 through April 30, 1983 - 818 total sick leave shifts

Since there are 120 days during this period with three (3) shifts per day, the average number of sick calls per shift was 3.1 in 1982 and is 2.3 in 1983. I feel that this is still an unacceptably high rate but am confident that as attitudes and expectations change we will experience an even greater decrease in sick leave use.

The Detail Policy was issued at the end of February. The Police Association contract also addresses the issue of details, stating

continued

that they shall be assigned on a "fair and equitable basis". It also mandates the creation of a Detail Committee comprised of Association members. The Policy was developed by this Committee and the daily operation of the Detail Office is monitored by the Committee. Since the Policy was issued and its guidelines followed, there has not been even one (1) grievance filed by either police Association. Prior to the Policy, grievances were filed almost daily for various unfair practices related to distribution of details.

AGP:smp

Enclosures

cc: Robert W. Healy, City Manager
Richard Rossi, Deputy City Manager

Section III of Misc III of the Operations Manual is deleted and the following inserted in its place:

A. Sick Leave:

(Definition)

Each employee who is hospitalized, confined to his home for a prolonged period of time or is otherwise incapacitated, whether temporarily or not, because of sickness, injury or disability not incurred in the performance of duty, shall receive unlimited sick leave with pay during his absence from duty on sick leave subject to and in accordance with the provisions of the collective bargaining agreements.

1. All personnel are put on notice that sick leave is only to be taken in the event of sickness, injury or disability not incurred in the performance of duty which prevents the performance of duty of the employee.
2. For purposes of this policy, undocumented sick time is any sick leave taken for which documentation in the form of a physicians certificate meeting the criteria outlined in #9b below is not presented.
3. All personnel will be docked 1/5 of a weeks pay for every day of undocumented sick leave taken beginning after the tenth (10th) cumulative day of undocumented sick leave taken in a calendar year, commencing in calendar year 1983.
4. Commanding Officers and their respective superior officers will be responsible for periodic reviews of the attendance records of their assigned personnel. In addition, they will be responsible to counsel officers using excessive leave, to utilize attendance records in the management and assignment of their personnel, to administer warnings, and to report to the Chief's Office what actions have been taken to reduce the use of excessive leave by individuals as well as by patrol groups and other work units.
5. Disciplinary sanctions will be invoked against officers taking undocumented sick leave as set forth in Table I. These sanctions will be progressive and will include:
 - a. recorded oral warnings
 - b. written warnings
 - c. docking of pay
 - d. short term suspensions without pay
 - e. the initiation of Departmental charges leading to long-term suspensions and/or termination proceedings

For personnel assigned to night duty suspensions are to be begin on first half, weekday shifts unless otherwise ordered and shall be for consecutive tours of duty. For personnel assigned to days, suspensions shall begin on weekdays and be for consecutive tours of duty.

6. All personnel are put on notice that it is the intention of both the Department and the City to include an appropriate review of sick leave records as part of the oral assessment component of all future promotional examinations.
7. Nothing in this policy shall prohibit the Department from verifying the legitimacy of absences due to sick leave.
8. All employess are entitled to administrative leave for perfect attendance as specified in the collective bargaining agreements.
9. All personnel are required:
 - a. to report to a Superior Officer at the front desk at least one (1) hour prior to the start of a scheduled tour of duty the nature of any sickness, injury or disability, the person reporting, the location of the officer and his/her phone number. This information is to be recorded on the sick leave roster at the front desk. A copy of said roster shall be routed to the Personnel Office daily.
 - b. when submitting a physician's certificate, to present it no later than the end of the first tour of duty back following sick leave. Said certificate shall be an original, properly completed, signed document. Certificates not meeting these and other reasonable criteria will not be accepted and the time absent will be counted as undocumented for purposes of this Policy. Certificates shall be submitted to the Commanding Officer who shall date and initial them and route them to the Personnel Office.
10. Superior officers shall thoroughly complete sick slips on all personnel reporting sick and route them to the Personnel Office on a timely basis.

11. After five (5) consecutive days of sick leave (regardless of the total number of undocumented days), personnel may be required by the Chief of Police to submit reports on their medical condition at appropriate intervals. In addition, these personnel may be required to be examined, at City expense, by a physician of the City's choice.
12. Once an entry is made in the Time Book regarding an officer's status for a specific tour of duty no change can be made to that entry except under the initials of the platoon lieutenant or captain. After an initial report of sickness has been made in the attendance record for a specific tour of duty, it cannot be changed to a personal day, vacation, etc.
13. Nothing in this policy shall prohibit the Chief from imposing appropriate disciplinary sanctions for patterned absenteeism or falsification of any report required. No pay is allowed if the officer:
 - a. attempts to deceive the attending physician in relation to the case;
 - b. does not remain at his/her residence or reported location unless permitted to do otherwise by the Chief or by the attending physician; or
 - c. refuses or neglects to conform to the non-surgical instructions of the attending physician.

In addition, no pay is allowed if the sickness, injury or disability is not accidental but is self-inflicted or self-imposed.

14. The Department has created the position of Stress Officer and committed resources to the counselling of officers experiencing stress or other problems. All personnel are encouraged to avail themselves of this assistance and of the many facilities available through the City's hospitals or private facilities.

TABLE I

After the 9th undocumented sick day, an employee shall receive a recorded, oral warning (to be given with an Association representative present) advising the employee that he/she shall be subject to disciplinary action for subsequent, undocumented sick days. Said disciplinary action shall be according to the following schedule in a given calendar year beginning on January 1, 1983.

- | | | |
|----|---|---|
| a. | On the 11th undocumented day: | Docked pay for day plus a written warning placed in personnel file |
| b. | On the 12th undocumented day: | Docked pay for day |
| c. | On the 13th undocumented day: | Docked pay for day plus a three (3) day suspension without pay |
| d. | On the 14th undocumented day: | Docked pay for day |
| e. | On the 15th undocumented day: | Docked pay for day plus a five (5) day suspension without pay |
| f. | On the 16th undocumented day: | Docked pay for day plus a written warning placed in personnel file |
| g. | On the 17th and all subsequent undocumented days: | Docked pay for each day plus the initiation of Departmental charges leading to further long-term suspensions or termination |

B. Injury Leave

(Definition)

An employee who is absent from duty on account of sickness, injury or disability incurred in the performance of duty without fault on his/her part shall be granted leave without loss of pay for the period of incapacity subject to and in accordance with

- a. M.G.L. Chapter 41, Section 111F; and
 - b. the relevant Collective Bargaining Agreement.
1. When the period of incapacity reaches a length of time and where the medical evidence indicates that it would be reasonable to assume that the officer will not recover satisfactorily to resume the full duties of a police officer, the Chief of Police will petition for involuntary retirement.
 2. The officer shall immediately notify the Officer-in-Charge of any injury sustained in the line of duty. The Officer-in-Charge shall notify a Sector Sergeant who shall investigate and submit a written report. If the officer develops symptoms of injury after the end of a tour of duty that he/she believes may have been incurred in the performance of duty, he/she shall notify the Officer-in-Charge as soon as possible.
 3. The injured officer shall submit, as soon as is practicable, a 650 detailing the extent of the injury, the date, time, place of occurrence and any other relevant information (ie. file number).
 4. The Officer-in-Charge shall record on the Journal, the following information: "Officer reports injured: subject to the approval of the Chief of Police and the attending Physician."
 5. The injured officer shall report (or be transported) immediately to the Cambridge Hospital, unless otherwise ordered by the patrol supervisor, for initial treatment and diagnosis - whether or not the injury results in the officer being relieved of duty for the tour in which the injury occurred. Subsequent examination and treatment may be made by a physician selected by the officer.
 6. Reports of the attending physicians shall be forwarded to the Chief of Police. Said reports shall specify the nature of the injury and estimate the length of time the officer will be incapacitated and not able to perform the full duties of a police officer. Additional reports from the attending physician may be required at the discretion of the Chief of Police.

7. Exacerbation or reappearance of prior symptoms of injury will require evidence of eligibility at the time of such reoccurrence and must be processed in the manner set forth above notwithstanding a prior determination of eligibility. The Officer may submit evidence from his/her own physician in this case but the Department reserves the right to require an examination by a physician chosen by the City.
8. Nothing in this Policy shall prohibit the Department from verifying the legitimacy of absences due to injury leave.
9. All claims for injury leave, whether initial occurrence or reappearance of prior symptoms, shall be recorded as "S" in the Department Time Books. Once a determination is made by the and the Chief of Police that documentation of the job-relatedness of the injury is sufficient, the record shall be amended to indicate an "I" for all relevant days in all copies of time book records. Such determinations shall be made on a timely basis.

C. For Tardiness

The following Policy regarding tardiness is established to insure that shifts are properly manned throughout their duration.

1. Tardiness is defined as not being present at your assigned office or other location at the time required by City and Departmental Policy or at the time required by your Commanding Officer. For uniformed personnel, this means not answering to the attendance roster at roll call unless such absence is approved by a superior officer prior to the start of that shift.
2. Officers who are tardy or who leave early without being properly relieved shall submit 650's to their Commanding Officer, who shall then initial the 650's and forward them to the Personnel Office. Commanding Officers shall keep a copy of all such 650's in a platoon-level file. The 650 submitted by the officer shall list the time actually available for duty, if tardy, and the reason for tardiness.
3. Disciplinary sanctions, including loss of pay, will be invoked against officers with unapproved tardiness or who leave early without being properly relieved. These sanctions will be applied according to the Schedule outlined in Table II.

TABLE II

Schedule of Disiplinary Action for Abuse of Unapproved Tardiness in a Given Calendar Year Beginning on January 1, 1983

1. Any occurrence of unapproved tardiness for a period of over one (1) hour will result in loss of pay for such period of tardiness to the nearest 1/4 of an hour.
2. On the 9th unapproved occurrence: Recorded Oral Warning
3. On the 11th unapproved occurrence: Written Warning
4. On the 13th unapproved occurrence: One (1) day Suspension without pay
5. On the 14th unapproved occurrence: Two (2) days Suspension without pay
6. On the 15th unapproved occurrence: Three (3) days Suspension without pay
7. On the 16th unapproved occurrence: Department Charges leading to further long-term suspension or termination proceedings

PROCEDURE FOR ASSIGNMENTS OF PAID DETAILS:

1. All lists referred to in these procedures shall be available for review by representatives of both uniform Associations.
2. The following procedure shall occur daily from 7:00 A.M. to 4:00 P.M.
 - a. The officer in charge of detail distribution shall be responsible for operating the detail recording machine.

 1. All previous recordings shall be erased;
 2. A written list shall be prepared from the recorder, with one copy forwarded to the issuing detail sergeant and one copy retained in the detail office.
 - b. Surplus details: for the purpose of these guidelines, are those details that are not assigned to the two working groups and are available to the eligible list of off duty personnel.
 - c. Detail Office Personnel: are those persons authorized by the Chief of Police to enter and remain in and/or in any way operate the equipment in the detail office; ie., electronic recording machine or computer terminal.
 - d. Detail Committee: are those persons appointed from each Association to represent the both Associations in matters that relate to detail assignments and procedure. Each Association shall have four (4) members each. (See contract C.P.A. and City of Cambridge)
3. Priority One:
Any officer working not receiving a detail for the following day shall be placed at the top of the list for available details providing that he/she had not refused a detail. An officer who accepts a four (4) hour detail and during his/her tour of duty an eight (8) hour detail becomes available he or she is still eligible to receive on a rotation basis, the eight hour detail, and turns in the four (4) hour detail.

Any officer not able to attend the detail roll call due to his/her hour (s) of work, assignments prior to roll call; or is in court, or excused for cause other than sickness, may call the detail office clerk and ask for his/her preferred detail request as if he/she had attended the detail roll call in the usual rotation basis. In cases of absence or tardiness the detail roll call will continue in the officers absence and may stop when an officer passed-by appears; failure of an officer to appear on time forfeits his/her eligibility

Any officer that refuses a detail at roll call may elect to wait for other detail offerings during his/her tour of duty, but in no case after the tour ends, by notifying the issuing Sergeant of his/her intent. The officers name may then be placed on the end of the call-in eligible list.

Any officer who during his/her tour of duty becomes the complainant in a felony arrest, and has to appear in court, or is taken ill, shall return the detail slip to the detail Sergeant for reassignment. An officer may go to court and do his /her detail provided it does not interfere with either the court appearance or paid detail work; however, in no case are officers to receive monies from both court appearance and paid detail work at the same time.

4. Priority Two:

~~Eligible list of off-duty personnel are those officers in the three~~ (3) groups collectively off-duty on a given two (2) day period, melded alphabetically and used on a rotation basis, and qualified by ~~a electronic recording of their desire to work a surplus detail~~ during his/her day(s) off. The designated phone number in the detail office will qualify an officer for the two day period, and will be available for call-in between 7:00 A.M. and 4:00 P.M. the day prior to going on the eligible list of off-duty personnel. Failure on the part of an officer to call-in will automatically disqualify him/her for a detail for the first day off, and will be recorded as a refusal during said period. Eligible officers must call-in for the second day if they wish a detail on the second day off.

For the purpose of these guidelines all personnel assigned to uniform duty are eligible when off-duty, and those officers assigned to traffic will follow their group assignments in the day platoon.

For the purpose of these guidelines surplus details shall be offered to all personnel on the eligible off-duty list EXCEPT; those on vacation (other than on his/her eligible days of group rotation), commendation day (s), personal day or other granted day(s) off. All officers on the above stated leaves, who wish a detail shall call-in and be placed on the bottom of the eligible list.

5. Priority Three:

There will be a separate list for eight (8) hour midnight details and/or strike details. (All officers are eligible to be on this list regardless of his/her status on the steady detail list.)

There will be a separate "Emergency Detail" list for such times when it is necessary to call some officers home at 2:30 A.M. etc., for detail service. This list will be good for 30 days at a time, and is strictly voluntary.

6. Priority Four:

Steady details are assignments that are limited to only the officer named and presently doing details and when not filled by himself/herself, the detail will be returned to the general pool.

In the future a steady detail requests shall be submitted to the Chief of Police in writing and only those approved will be considered as steady details. This same criteria will determine what constitutes a uniform or plainclothes detail.

When steady details are not covered by the assigned (steady) officer, they are returned to the general pool, and are assigned to other officers in the usual rotation basis, or may be put on the surplus list. This will also be complied with during the scheduled

vacation period, sickness or other leave periods.

Any officer who has a steady detail will not be on the regular rotation detail list, however if he/she has a steady detail of four (4) hours and is eligible for another four (4) hours within a seven (7) day period she is considered eligible. Officers doing more than four hours steady detail work are not permitted on the rotation list at all. No officer shall have a steady detail at two (2) different locations.

7. Complaints:

Any officer who has a complaint regarding details, there assignments, or distribution shall forward by 650 form letter the information to their respective Association Representative assigned to the detail office.

8. Notice:

Any officer, regardless of rank, who has tampered with any list; has not followed these guidelines in good faith; aquired a detail other than through proper procedures; does not dress in proper uniform while on detail (provided it is a uniform detail); does not serve the full length of the detail (without just cause); or does not maintain proper police professional behavior while on duty; will be subject to disciplinary action by the Chief of Police.

March 8, 1983

Approved -
A. G. Gault



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

Tel. 498-9011

EXECUTIVE DEPARTMENT

ROBERT W. HEALY

City Manager

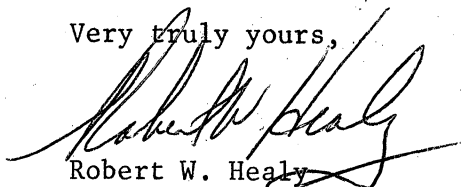
June 13, 1983

To the Honorable, the City Council:

As a result of information requested during the Police Department's Budget Hearing, enclosed are copies of both the new sick leave policy and detail policy as negotiated with the unions.

Additionally, statistical analysis reveals a decline in sick leave use since implementation of these policies.

Very truly yours,



Robert W. Healy
City Manager

RWH/mbf
Enc.

Agenda # 20 *S 343*

Police sick leave policy & detail policy
as requested during Police Dept. Budget
hearings.

In City Council,

June 13, 1983

6/13/83

Placed

on

File