

**Phoenix Fire Department  
Volume 1 – Operations Manual**

**INDUSTRIAL LEAVE**

<b>MP 103.06</b>	Date Revised: 02/23
Related Policies: 104.02B, 110.02, PR 15	

**PURPOSE**

This procedure defines Industrial Leave and identifies the responsibilities of each member, Battalion Chiefs, and the Health and Wellness 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 during City employment, as defined by the Workmen's Compensation Laws of the State of Arizona.
  - 2. Those occupational diseases arising out of and during City employment as refined by the Occupational Disease Laws of the State of Arizona.
  
- B. **"Net Take-Home Pay"** is defined as the bi-weekly base rate of pay for a fulltime 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 to qualify for Industrial Leave:

The member shall submit to an examination or treatment by a physician at the Fire Department Health and Wellness Center, or an emergency room if the injury occurs after hours. In the event of a minor injury or illness, the after-hours on call Health and Wellness Center clinician may be contacted through the Alarm Room should the member feel they need to be taken off duty for the remainder of their shift. If this step is not completed the member will be charged their own time. The member must report to the Health and Wellness Center on the next business day for

evaluation in either circumstance to continue or change the off-duty work status. All required industrial forms shall be completed at the time of the evaluation at the Health and Wellness Center.

One of the required industrial forms the member must complete is an agreement directing that all warrants for compensation issued by the third-party administrator 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 third party administrator. (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 third-party administrator. (Ref: personnel Rule 15.f4C)

### **Entitlement**

A certified permanent fulltime 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.

## **PROCEDURE**

### **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 and Wellness Center. For specific information and guidelines, refer to M.P. 110.02: Personal Injury Reporting.

Members placed on Industrial Leave by an outside clinician other than the Fire Department clinician the member shall report to the Fire Department Health and Wellness Center for evaluation as soon as physically possible during regular business hours.

In the case of a minor injury treated at a facility other than the Fire Department Health and

Wellness Center, but not causing any lost time or requiring any further medical treatment, the member is required to complete all industrial forms at the Fire Department Health and Wellness Center. **(Health and Wellness Center Visit is Required.)**

### **Supervisor Responsibilities (minor injury)**

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

If the injury occurs during normal business hours:

- Arrange transportation for member to the Fire Department Health and Wellness Center for evaluation or treatment of an Industrial Injury.
- Notify next level supervisor.
- Notify Battalion Chief and C-959 via phone or Alarm Room.

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

- Contact the Alarm Room. The Alarm Room will notify the on-call Health and Wellness Center representative who will contact the injured member and assist with instructions.
- Notify next level supervisor.
- Notify Battalion Chief and C-959 via phone or Alarm Room.

### **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 C-959 via phone or Alarm Room

### **At home recuperation**

Members on Industrial Leave must remain at home in a recuperative manner. Time to consult with a clinician, attend therapy or other special types of treatment will be allowed. Change of any work status shall be reported to the Health and Wellness Center.

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

Members who are on Industrial Leave and need to travel out of state for more than 14 days require permission from the Industrial Commission of Arizona.

### **Recuperation Other Than at Home**

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

**Follow-up:** Members on industrial leave for more than 30-days shall report to the Fire Department Health and Wellness Center for a consultation with the Fire Department clinician. The Health and Wellness Center will contact the injured member for an appointment with the clinician. The purpose of the consultation is to assess the progress of the rehabilitation efforts and to anticipate the member's return to full duty or alternate assignment. Members on industrial leave with a work status change to alternate assignment by their treating clinician will be placed in an alternate assignment position to assure full rehabilitation to the Fire Department's satisfaction. Alternate assignment positions are not guaranteed and are based on alternate assignment availability within the Fire Department and the member's restrictions provided by treating clinician. Not all restrictions can be accommodated.

### **Proof of Medical Treatment**

Members who are on either full duty or who are working alternate assignment shall provide proof of the visit 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 proof of medical treatment for the leave to be approved.

When a member is released to either regular duty or to an alternate assignment, he/she must provide a release from all treating providers. **THE MEMBER WILL REPORT DIRECTLY TO THE FIRE DEPARTMENT HEALTH AND WELLNESS CENTER AND PROVIDE A CHANGE OF WORK STATUS ALONG WITH ALL OTHER MEDICAL RELEASE FORMS. A MEMBER'S TIME WILL BE CHARGED IF THIS STEP IS NOT COMPLETED BEFORE THE NEXT WORKING DAY.**

### **Health And Wellness Center Responsibilities**

Health and Wellness Center will monitor the member's progress via contact from the member on a follow-up schedule determined by the Health and Wellness Center clinician, but no more than every 30 days.

All contact with members on Industrial Leave or alternate assignment will be documented by the Health and Wellness Center after contact.

When the member returns to regular duty after being on Industrial Leave, the Health and Wellness Center will update Telestaff and make all appropriate notifications. When a member is released to alternate assignment, all leave documentation while on alternate assignment becomes the responsibility of the district or section where the member is assigned.