

INJURY IN LINE OF DUTY	Document Number	GO 506
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1. PURPOSE

The purpose of this policy is to establish the reporting requirements for industrial injury, illness, and the recurrence of injury while identifying coverage provided by Workers' Compensation and other provisions related to authorized leave of absences and injuries.

2. PERSONS AFFECTED

All department personnel.

3. POLICY

It shall be the policy of the Hawai'i Police Department that its employees be granted certain benefits provided by Workers' Compensation under appropriate circumstances.

All employees of the department, whether sworn or civilian, including police reserve officers, shall be eligible for Workers' Compensation benefits for work-related injury.

4. DEFINITIONS

4.1. Injury - An ailment an employee suffers either by accident resulting from and during employment (including the willful act of a third person against the employee because of the employee's job) or by disease closely caused by or resulting from employment. Employment includes off-duty activities which are sanctioned by the department including, but not limited to: special duty, and special assignments or events.

4.2. Workers' Compensation Benefits - All benefits which the Hawai'i Revised Statutes provides the employee or employee's dependents for work injury (as defined in Chapter 386), including medical and rehabilitation benefits, income and indemnity benefits (for disability or death) and funeral and burial expense allowance.

4.3. Limited Duty (also referred to as Light Duty) - An assignment of productive work which does not exceed the temporary limitations placed on an employee by a physician and certified by a county physician.

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- 4.4. Physician - A duly licensed doctor of medicine, dentist, chiropractor, osteopath, naturopath, and optometrist.
- 4.5. Temporary Disability - An impairment of either a physical or mental function which is determined by a physician not to be permanent in nature.

5. RESPONSIBILITIES

- 5.1. Duty to Report - Any employee sustaining work-related injury shall report the injury or illness to their immediate supervisor as soon as practical.
- 5.2. Medical Attention
 - 5.2.1. Any employee, who may be injured while in the legal performance of police duty, shall be provided the necessary medical attention/treatment.
 - 5.2.2. No lost time or medical expense claim will be paid if the injury is not certified by a physician's certificate. Leave shall be charged to sick leave if the employee does not seek medical attention for the injury.
- 5.3. Rights and Responsibilities of Employees
 - 5.3.1. Any employee injured in the line of duty shall forward to the Police Chief within 48 hours a complete memorandum of the facts surrounding the incidence of injury. If the employee is unable to do so due to the extent of the injury or illness, the employee shall submit the memorandum to the Police Chief as soon as the employee is capable of doing so.
 - 5.3.2. Any other employee present at the time, or participating in the case or incident in which the injury was incurred, shall be identified and interviewed by the supervisor assigned to complete the report.
 - 5.3.3. Employees injured, disabled, or killed while in the performance of police duty shall receive medical, surgical and hospital services and other compensation and benefits provided by Workers' Compensation.

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5.3.4. Employees so injured may be placed on “accident injury leave,” henceforth known as AIL, and continued on the payroll according to law.

5.3.5. An injured employee shall further have the right, at the employee’s option, to exhaust the employee’s sick leave and annual leave so as to continue to draw full salary.

5.3.6. Where an injured employee is placed on AIL as provided by law, such leave shall not be charged to sick leave. It shall be noted on the daily time sheet as “injured.”

5.3.7. An employee must report back to work from an injury on the date specified by the attending physician. Employees will be placed on leave without pay status from the time they are released for work by the physician until they actually report to work.

5.3.8. Any employee injured in the line of duty and who may require further medical treatment after being discharged by the attending physician shall:

- a. Submit a memorandum to the Police Chief citing the conditions and reasons for further medical attention.
- b. Consult the Personnel Officer in regard to completing necessary Workers’ Compensation reports.

5.4. Responsibilities of Commanders

5.4.1. When an employee is so injured, the employee’s division or district commander shall cause a supervisory investigation to be initiated, to include interviews of all witnesses.

5.4.2. A memorandum of the division or district commander’s findings shall be submitted to the Police Chief and such report shall show whether or not such injury was sustained in the performance of police duty, whether or not negligence on the part of the injured employee contributed, and the names and addresses of all witnesses.

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5.4.3. In every accident in which an employee, while in the performance of police duty, is killed or seriously injured and likely to die, the commanding officer shall forthwith notify the Corporation Counsel by telephone or otherwise, giving all the facts of the case to enable the latter to take such steps as may be advisable to safeguard the rights of the injured employee.

5.4.4. Commanders shall be responsible for the adherence to the provisions of this General Order by all employees under their command.

6. PROCEDURES

- 6.1. Determination of Work-Related Injury – Final determination of whether the injury, disability or death of an employee was incurred in the legal performance of police duty and without negligence on the part of the employee shall be made as provided by law.
- 6.2. Employees who receive work-related injury may be eligible for a limited duty assignment as outlined in General Order 524, Limited Duty.
- 6.3. Police Reserve Officers - Any person who is injured in performing service in any voluntary or unpaid capacity under the authorized direction of the department, and who has not secured payment of his hospital and medical expenses from the state, county or any other agency, may be paid his reasonable hospital and medical expenses under Workers' Compensation.
- 6.4. Workers' Compensation - Employees eligible for workers' compensation benefits should refer to General Order 406, Workers' Compensation, for guidance.