

OGDEN CITY POLICE

Office of the Chief

Policy No: 38A

Subject	Effective Date
Temporary Transitional Duty – Physical Fitness	March 2018
Department	Replaces Policy Dated
Police	October 2012
Division	Review Date
All Police Personnel	March 2024
Authorized Signature	

NOTE: This rule or regulation is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this agency, and then only in a non-judicial administrative setting.

I. PURPOSE

- A. To provide guidelines to be used for providing temporary transitional duty assignments for sworn officers temporarily unable to perform full Peace Officer duties as a result of failing Ogden Police Department Physical Fitness testing or being medically exempt from taking the test, in accordance with Policy 14A. It is the Department's policy to encourage rapid remedial training and speedy return to work to the extent appropriate and practicable.
- B. To ensure that all officers are afforded the same opportunities for unbiased and non-discriminatory temporary assignments when they are unable to perform the essential functions of a Peace Officer due to failing the physical fitness test or being medically exempt from taking the test. The number of positions will not be limited but all positions and duties are at the full discretion of the Chief of Police.
- C. To provide a uniform procedure for determining assignments available to officers, the time limits associated with placement, and the procedures necessary to return officers to full Peace Officer status.

II. POLICY

It is the policy of the Ogden Police Department to allow sworn police officers to work in a temporary transitional assignment within the Police Department, or another appropriate department within the City, when the employee fails the physical fitness test or is unable to take the test due to medical exemption. The positions must not require Peace Officer authority and officers on such temporary transitional duty may not exercise Peace Officer authority or use Department vehicles or equipment while performing such duties, except for equipment directly related to the assigned duty.

III. PROCEDURE

- A. When an officer fails the PT Test or provides the Department with an approved medical form in accordance with Policy 14A exempting them from taking the test, they will be immediately placed in Temporary Transitional Duty – Physical Fitness, and will comply with all conditions and limitations of this policy and its procedures. The officer will be personally responsible for remedial fitness training in order to achieve the required standard.
- B. Shifts and assignments will be at the discretion of the Support Services Division Commander.
- C. When assigned temporary transitional duties the following rules will apply:
 1. The officer may be assigned temporary transitional duty within the Ogden Police Department or another City department per Ogden City Employee Policy.
 2. If the officer works within the Ogden Police Department, the officer must be performing necessary and essential duties.
 3. The period of time for such temporary transitional duty due to PT Test failure will be limited to the time required for the employee to pass the fitness test in accordance with Policy 14A, and for no more than ninety (90) days. For medical exemption, the period of time to be medically cleared to take the test will be 210 days, in accordance with Policy 14A. If at the end of the appropriate period an officer is unable to pass the test or be medically cleared to take the test, the officer will be dealt with in accordance with the provisions of Policy 14A. While on temporary transitional duty for PT Test failure, the officer must be involved in a remedial fitness program. During the remedial training period for PT Test failure, not to exceed the ninety (90) days, the officer will be retested

every 30 days and must have made improvement in score from each previous test. Any officer failing to make improvement in subsequent testing will no longer be authorized temporary transitional duty. If an officer is assigned to another City department, such other department's dress standards will apply. Exceptions to this dress standard, for valid and documented reasons, may be granted by the Chief of Police.

4. An officer who has a medical exemption may be placed on temporary transitional duty for a maximum of 210 days consistent with any restrictions placed on the officer by the physician.
5. Any officer who has failed the fitness test two or more times within a three-year period, including the current fitness cycle (counting one failure per fitness cycle), or who fails the fitness test during the fall mandatory testing cycle and then submits a medical waiver, shall be limited to no more than ninety (90) days temporary transitional duty. Any remaining time needed to be medically cleared, up to the full 210 days, shall be taken as sick leave, vacation leave, or leave without pay.
6. While on Temporary Transitional Duty – Physical Fitness, an officer will not utilize Department equipment except as directly related to the assigned duty. The officer's Department-assigned vehicle will be parked at the Public Safety Building and the officer will be responsible for his/her own transportation to and from duty until such time as the officer is released to full-duty status.

D. Upon passing the PT Test, the officer will be reassigned to full peace officer duties. If the officer fails to pass the PT Test with the prescribed conditions of this policy, the officer will be submitted for a fit for duty evaluation.