

TOWN OF LA JARA

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Resolution 2013-2

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF LA JARA, COLORADO, IMPLEMENTING A REQUIREMENT OF FITNESS-FOR-DUTY FOR ITS PRESENT AND FUTURE POLICE OFFICERS

WHEREAS, the Board of Trustees of the Town of La Jara finds and determines that it is necessary and proper that all the members of the La Jara Police Force be free from any physical, emotional or mental condition that might adversely affect the exercise of peace officer duties, and

WHEREAS, the Board likewise finds and determines that if each officer is, indeed, fit for duty, such fitness for duty will have a corresponding beneficial effect on the officer's performance while on duty, enhancing not only his personal safety, but more efficiently protecting the life and property of the citizens and visitors of the Town of La Jara whom the officer is charged with the protection thereof, and

WHEREAS, in order to achieve the required level of physical and mental fitness, it is necessary and proper that the Town establish reasonable physical fitness standards, such to include, but not limited to, physical and psychological examinations from time-to-time to ensure that each officer meets the minimum standards in order to qualify for continued employment by the Town, and

WHEREAS, the Board of Trustees has examined and reviewed Policy No. 1032 as adopted by the City of Alamosa, Colorado, and as now incorporated in the Alamosa Police Department Policy Manual and further finds that such Policy should likewise be the policy of the La Jara Police Department.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LA JARA AS FOLLOWS:

Section 1 - Incorporation: Policy No. 1032 as adopted by City of Alamosa, Colorado, and now forming a part of the Alamosa Police Department Policy Manual, a copy of which is hereby attached hereto and forming a part hereof, is hereby adopted by the Board of Trustees as its official policy with respect to the La Jara Police Department.

Section 2 - Implementation: The Board of Trustees authorizes its present Town Manager, Dennis Koenig, or his successor in office, working in conjunction with the Chief of Police of the La Jara Police Department, to implement the terms and provision of such policy during such time frames as are reasonable under the prevailing circumstances.

Section 3 - Amendments and Inclusions to the Town's Policy Manuals: That the La Jara Town Clerk be, and she is hereby, authorized to include a copy of Policy No. 1032 into the appropriate page and section of the Policy Manual of the La Jara Police Department and in such other place and/or policy manual as is deemed necessary and appropriate.

INTRODUCED, READ, AND PASSED AS A RESOLUTION at a regular meeting of the Board of Trustees of the Town of La Jara, held on the 12th day of February, 2013, at which a quorum was present.

THE BOARD OF TRUSTEES OF THE TOWN OF LA JARA, ATTEST



Larry Zaragoza
Larry Zaragoza, Mayor

Shawn Pagnotta
Shawn Pagnotta, La Jara Town Clerk

Police Officer General Fitness

Fitness for Duty La Jara Police Department

PURPOSE AND SCOPE

All officers are required to be free from any physical, emotional or mental condition that might adversely affect the exercise of peace officer duties. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job function.

EMPLOYEE RESPONSIBILITIES

- (a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform essential duties of the position.
- (b) Each member of this department shall perform his/her respective duties without physical, emotional and/or mental constraints.
- (c) During working hours, all employees are required to be alert, attentive and capable of performing assigned responsibilities.
- (d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

PHYSICAL FITNESS STANDARDS

- (a) The established physical fitness standards of the La Jara Police Department were created from a validation study conducted by outside fitness professionals in 2012... The adopted standards are considered the minimally required physical fitness standards necessary to safely and properly perform the essential duties of the position of a certified police officer with the La Jara Police Department.
- (b) All certified police officers (including applicants for hire) of the La Jara Police Department are required to successfully pass the designated physical fitness standards of the police department in order to attain and maintain employment with the City of La Jara.
- (c) All certified police officers must successfully meet the adopted standards no later than July 12, 2013; officers not meeting these standards shall face discipline up to, and including termination.
- (d) Fitness testing will occur during the summer season and on an annual basis; officers failing will be given 90 days, from the last date of testing, to improve their fitness level, and re-test, and successfully meet all physical fitness standards if failing reoccurs, then an additional 30 days from the date of the last retest will be allowed a final retest.
- (e) Officers who are unable to test due to injury or illness will be scheduled and required to test and meet standards as soon as practicably possible upon his/her authorized return to duty.

Fitness for Duty

SUPERVISOR RESPONSIBILITIES

- (a) A supervisor observing an employee, or receiving a report of an employee, who is perceived to be unable to safely perform his/her duties due to a physical, medical or mental condition shall take prompt and appropriate action in an effort to resolve the situation.
- (b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and in all cases a preliminary evaluation should be made to determine the level of inability of employment to perform his/her duties.
- (c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.
- (d) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

NON-WORK RELATED CONDITIONS

Any employee suffering from a non-work related condition that warrants a temporary relief from duty may be required to use sick leave or other paid time off in order to obtain medical treatment or other reasonable rest period.

WORK-RELATED CONDITIONS

Any employee suffering from a work-related condition that warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Chief of Police, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the well-being of the employee and until such time as the following may be completed:

- (a) A preliminary determination that the employee's conduct appears to be in compliance with policy and law.
- (b) If appropriate, the employee shall have the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

- (a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with the Town Manager to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination.
- (b) The examining physician or therapist will provide the Department with a report indicating that the employee is either fit for duty or, if not, list any functional limitations that limit the employee's ability to perform job duties. If the employee places his/her condition at issue in any subsequent or related administrative action or grievance, *the* examining physician or therapist may be required to disclose any and all information that is relevant to such proceeding.

Fitness for Duty

- (c) To facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the examination, evaluation and/or treatment.
- (d) All reports and examinations or evaluations submitted by the treating physician or therapist shall be part of the employee's private medical file.
- (e) Any employee ordered to receive a fitness-for-duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and may subject the employee to discipline, up to and including termination.
- (f) Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume his/her duties.
- (g) If an employee is deemed unfit for duty by the Department, the employee may submit a report from his/her personal physician, psychiatrist, psychologist or other health care provider that will be taken into consideration.

LIMITATION ON HOURS WORKED

Absent emergency operations, members should not work more than:

- 16 hours in one-day period (24-hour period) 30
- hours in any two-day period (48-hour period) 84
- hours in any seven-day period (168-hour period)

Except in very limited circumstances members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable test periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, special events, contract work, general overtime and any other work assignments.

APPEALS

An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness-for-duty examination shall be entitled to an administrative appeal as outlined in the Disciplinary Policy.

Officer _____ Date _____

Police Chief _____ Date _____

Minimum Police Fitness Requirements

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| 1. 1.5 mile run | 16:00 minutes or faster |
| 2. 300 meter run | 64 seconds or faster |
| 3. 5 bench presses | 115 pounds |
| 4. Sit ups | 35 in 1 minute |
| 5. Push-ups | 16 in 1 minute |
| 6. Illinois Agility Run | 19.5 seconds or less |
| 7. Vertical jump | 14.5 inches |
| 8. Pull ups | 3 in 1 minute without leaving the bar |