



Series 400 Personnel	Effective Date 9/18/2014	Review Date Annually	Directive Number 403.8
Chapter 403 - Employee Wellness			
Reviewing Office Police Medical			<input type="checkbox"/> New Directive
References			<input type="checkbox"/> Replaces
			<input checked="" type="checkbox"/> Revised Revisions are in <i>italics</i>

PREGNANT OFFICERS

403.8 - 1 PURPOSE

The purpose of this directive is to clarify and update members of the Detroit Police Department on its policy prohibiting employment practices resulting in discrimination of members based on pregnancy.

403.8 - 2 POLICY

No officer or applicant will be subject to discrimination on the basis of a pregnancy or anticipated pregnancy.

This policy provides to pregnant officers who are unable to perform all of the essential functions of their current assignments, temporary alternative duty assignments. This policy is not intended to interfere with or diminish any rights or privileges to which an employee may be entitled under federal, state or local law, any other departmental policy or collective bargaining agreement.

403.8 - 2.1 Disclosure of Pregnancy Status

An officer shall notify her commanding officer when she believes that she cannot perform her current assignment due to pregnancy.

No action shall be taken by the Department, or any supervisor or member of command, with respect to any pregnant officer's assignment at the time of the disclosure of her pregnancy unless the officer so requests in writing or presents a letter from her physician, which specifies restrictions or limitations on her ability to perform her current assignment.

No officer, defined as a sworn member of the Department, shall be required to disclose her pregnancy. No officer shall be questioned as to her pregnancy status, nor shall any officer be sent to Police Medical for the purpose of testing or inquiry as to her pregnancy status. Female officers shall not be subjected to special procedures to determine pregnancy status.

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No employee or applicant will be subject to discrimination on the basis of pregnancy or anticipated pregnancy

403.8 - 2.2 Restricted Duty Assignment

Any restricted duty assignment made pursuant to an officer's pregnancy shall not affect the officer's terms or conditions of employment (including, but not limited to, existing benefits, opportunities for court time, seniority, longevity pay, ability to transfer, promotional opportunities, training opportunities or the ability to sit for promotional exams).

Restricted duty assignments for pregnant officers shall be made available, upon request of a pregnant officer; to the extent she believes she can no longer perform her current assignment.

The officer shall document such requests on an Inter-Office Memorandum (DPD 568) to her commanding officer. The commanding officer shall immediately forward the memorandum to the Director of the Human Resources Bureau who shall maintain documentation of all restricted duty members.

403.8 - 2.3 Promotions/Transfers/Court Time

Placement of an officer onto unpaid leave solely because of pregnancy shall not be considered nor shall it negatively affect such officer's future ability to be transferred or promoted.

Placement on unpaid leave solely because of pregnancy shall not affect an officer's opportunities for court time with respect to cases in which the officer participated prior to her leave.

403.8 - 2.4 Promotional Examination

Officers placed on paid leave or unpaid leave solely because of pregnancy shall be entitled to sit for promotional exams. The officer shall provide medical documentation verifying her ability to sit for such an exam.

403.8 - 2.5 Uniforms

Uniforms (including weapon belts) that will accommodate the needs of pregnant officers will be available on the same terms and conditions as they are made available to non-pregnant officers pursuant to the terms of the Collective Bargaining Agreement.

403.8 - 2.6 Firearms Training

During the officer's pregnancy, if needed, the officer may seek a temporary exemption from firearms qualification requirements. The officer shall provide medical documentation of her need for the exemption and the Department shall grant the exemption upon receipt of the documentation.

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403.8 - 2.7 Mandatory Training – Sexual Harassment and Discrimination

Training shall provide all DPD members with annual training on Sexual Harassment and Discrimination. In addition, members that attend the Sergeants Promotional Assessment Course and Lieutenants Promotional Assessment Course shall receive this training.

403.8 - 2.8 Complaint of Pregnancy Discrimination

All complaints of discrimination based on pregnancy will be promptly investigated by the Equal Employment Opportunity Coordinator.

All complaints of discrimination based on pregnancy filed by an officer shall be forwarded to the Equal Employment Opportunity Department for investigation, including those submitted to the Equal Employment Opportunity Commission and/or the Michigan Department of Civil Rights.

The Department will make good faith efforts to provide the results of the investigation into a complaint of discrimination on the basis of pregnancy to the requesting or complaining party. This process shall be done in writing, no later than sixty (60) days from the date the complaint is received.

403.8 - 2.9 Maternity Leave

When a pregnant officer thinks it is no longer safe to work, the member shall furnish to their commanding officer and Police Medical written medical evidence from their physician verifying their condition, stating an expected delivery date, and evaluating their physical ability to perform regular police duties. Members shall also provide such medical statements or evidence as *Police Medical* may require for its purpose. In addition, the member shall prepare an Inter-Office Memorandum, addressed to the Chief of Police requesting a leave of absence for maternity reasons. This memorandum shall be prepared in quadruplicate and shall state the request for leave with date of commencement and the expected date of return to duty.

The memorandum shall be presented to the member's commanding officer along with the appropriate medical letter from the member's physician. The commanding officer shall initial all copies and forward the original to Police Medical along with the medical letter. Police Medical shall review the information, retain the medical letter and forward the endorsed memorandum to the Chief of Police for approval.

Upon approval by the Chief of Police, the memorandum shall be returned to the member's command. The second copy shall be sent to the Human Resources Bureau, the third copy shall be forwarded to Fiscal Operations and the fourth copy shall be retained in the command file until receipt of the approved original.

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Should the actual date of the commencement of the leave of absence change for any reason, another memorandum shall be prepared in quadruplicate and forwarded as indicated previously.

403.8 - 2.10 Paid Leave

Any paid leave taken by a pregnant officer shall not affect the officer's terms or conditions of employment (including, but not limited to, opportunities for court time with respect to cases in which the officer participated prior to her leave, seniority, ability to transfer, promotional opportunities and longevity pay).

403.8 - 2.11 Unpaid Leave

An officer on unpaid leave solely because of pregnancy shall remain able to obtain longevity pay pursuant to the terms of the Collective Bargaining Agreement in the same manner as any other officer on unpaid leave.

403.8 - 2.12 Timekeeping/Return to Active Duty

Pregnant officers shall not be prohibited from allocating their banked time, in a manner that permits them to maximize the duration of their benefits while on leave of absence, pursuant to the terms of the Collective Bargaining Agreement and the Department's timekeeping methods and/or practices.

Within sixty (60) days after delivery, a member shall report to Police Medical for a determination of ability to return to full duty. At this time, the member shall present a medical letter from the member's physician indicating the appropriate date of return to work. Notwithstanding the above, in no case may a member's maternity leave of absence extend six (6) months beyond the date of delivery, except with permission of the Chief of Police.

When Police Medical has received the appropriate medical documentation from the members' physician returning the member to full duty, Police Medical will determine the date of return to full duty, Police Medical shall prepare a Duty Status of Officer (DPD 374) in triplicate, indicating the return to work date. The Duty Status of Officer shall be forwarded as follows:

- Original to the member's Commanding Officer;
- Second copy to the member;
- Third copy to be retained by Police Medical, along with the medical letter.

Members desiring to return to duty after the six-month period has elapsed shall apply under Department policies.

Pregnant members are not eligible for benefits under the City's Employee Layoff Benefit Plan, which protects employees upon layoff due to a lack of work or lack of funds.

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Related Procedures:

- Directive 401.10 – Timekeeping
- Directive 401.7 – Work Period Time Report
- Directive 401.11 – Holidays
- Directive 401.12 – Time Card