



DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS

PROGRAM STATEMENT

OPI: DD
Number: 3020.2A
Date: March 22, 2012
Supersedes: DO 3020.2 (06/29/92)
Subject: Temporary Limited Duty
Assignments (TLDA's)

1. **PURPOSE.** To establish procedures for Temporary Limited Duty Assignments (TLDA) for employees who are recuperating from a certified on or off duty illness or injury or other temporary disability and is temporarily unable to perform their regularly assigned duties.
2. **POLICY.** It is the policy of the D.C. Department of Corrections (DOC) to attempt to return employees with temporary disabling occupational or non-occupational injuries and/or illnesses to work in Temporary Light Duty Assignments as soon as medically feasible.
3. **PROGRAM OBJECTIVE**
 - a. A TLDA will be for the minimum amount of time necessary stated in this directive to return an employee to a regular duty assignment.
 - b. This directive will serve as notice to employees that there are no **"Permanent Light Duty"** assignments.
4. **APPLICABILITY.** This directive is applicable to all employees of the DCDC.
5. **NOTICE OF NON-DISCRIMINATION**
 - a. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code §2-1401.01 et seq., (Act) the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

6. **DIRECTIVES AFFECTED**

a. **Directive Rescinded**

DO 3020.2 Temporary Limited Duty Assignments (TLDAs)
(06/29/92)

b. **Directives Referenced**

PS 3490.9 Employee Leave Approvals

7. **AUTHORITY**

a. D.C. Code §24-211.02, Powers; Promulgation of Rules

b. D.C. Code §1-623.47, Modified Work Program

8. **STANDARDS REFERENCED.** None

9. **DEFINITIONS.** A “Temporary Limited Duty Assignment (TLDA)” is the temporary assignment of an employee who is unable to perform his/her regularly assigned duties due to an injury/illness or other temporary medical disability.

a. A TLDA is meant to provide a temporary, not permanent, arrangement for an employee to continue working while recovering from an injury/illness or temporary medical disability. If an employee’s medical condition has not resolved itself with six (6) months, the DOC Risk Manager will contact the Office of Risk Management (ORM) so appropriate notification can be made.

10. **PROCEDURES**

a. **Temporary Medical Disability – Non-Occupational Injury/Illness**

1) An employee who is eligible for a TLDA must submit a written request through his/her chain of command up to the Warden (to include the DOC Risk Manager). Each request must be accompanied by the original medical documentation from a certified medical provider (the supervisor will make a copy of the original slip) which shall include a specific description of the limitations and restrictions, as well as, the anticipated duration of the temporary disabling non-occupational injury/illness.

- 2) Upon receipt of the medical documentation, the Warden or his/her designee will initiate a review of the specific limitations and restrictions of the employee, as well as the anticipated duration of the temporary disabling injury/illness.
- 3) If clarification is needed in reference to the employee's limitations and restrictions, the Warden or his/her designee reserves the right to require the employee to provide additional information from the employee's medical provider.
- 4) During the interim, the employee may be authorized annual leave, sick leave or leave without pay at his/her request if the employee insists that he/she is unable to perform their regular assigned duties.

c. **Temporary Medical Disability- Occupational Injury/Illness**

- 1) An employee who is eligible for a TLDA who has incurred an occupational injury/illness shall submit their medical documentation through the DOC Risk Manager. Each request must be accompanied by the original medical documentation from a certified Sedgwick medical provider which shall include the approval letter from the Office of Risk Management, a specific description of the limitations and restrictions, as well as the anticipated duration of the temporary disabling occupational injury/illness.
- 2) Based upon the employee's work assignment, the Warden or his/her designee will consider the placement of the employee into a TLDA based upon the availability of TLDAs. The Warden or Office Chief shall attempt to place the employee into an assignment that is as close to the employee's regular duties as possible.
- 3) Employees that receive a TLDA may remain in the temporary limited duty assignment for a maximum of one hundred eighty (180) days in any 12-month period. Should the employee not be medically cleared or physically able to return to full duty status after ninety (90) days, the employee may request that their TLDA be extended for an additional ninety (90) days.

- c. Employees on a TLDA must return to full duty status within the time period specified in this directive or request an extension. Failure to do so, or to timely request and receive annual leave, sick leave or leave without pay will result in the employee being placed on Absent Without Leave (AWOL) status.

11. **ORINGINAL PROOF OF DISABILITY.** It is incumbent on the employee at his/her expense to provide proof of a disability in the form of a certified doctor's certificate. At a minimum the certificate must provide the following:

- a. Nature of disability (e.g., broken right arm, sprained ankle, torn ligament left leg, broken index finger left hand, sprained back);
- b. Physical limitations or restrictions (e.g., no standing or walking for more than four hours, no exposure to temperatures above or below certain

degrees, no climbing steps or stairs, no weapons firing). The employee is required to submit his/her official position description to his/her doctor to determine which duties can or cannot be performed; and

- c. Prognosis and approximate duration of the disability.

12. APPROVAL OF TLDA

- a. Approval for a TLDA by the Warden or his/her designee shall be based on the ability of the employee to perform the essential functions of the assignment within the restrictions imposed by the certified medical provider and without aggravating the existing injury or illness or cause an exacerbation of the injury or illness.
- b. The Warden will issue a memorandum to the Office Chief or Supervisor placing the employee in a TLDA documenting the terms and conditions of the TLDA. The memorandum shall be placed in the employee's TLDA file in the DOC Office of Risk Management.
- c. Correctional staff that has been approved for a TLDA may change on a daily basis. The TLDA will be suitable to accommodate the conditions indicated by the medical provider.

13. PREGNANCY, CHILDBIRTH OR RELATED MEDICAL CONDITIONS

- a. Female employees who are requesting TLDA because of pregnancy shall report the pregnancy along with the name of their doctor to their supervisor and shall comply with all documentation requirements in this directive.
- b. An employee may not be forced to take a TLDA or other leave for maternity reasons, unless her doctor certifies that it is medically necessary.

14. TLDA EXTENSION/EXPIRATION

- a. An employee who has exhausted his/her TLDA or TLDA extension and has an injury or illness determined to be permanent, may consider other employment options. Such options include but are not limited to:
 - 1) Applying for Disability;
 - 2) Retirement;
 - 3) Contacting the Rehabilitation Services Administration (D.C. Department of Human Services) to seek assistance in locating a position compatible with the disability; and
 - 4) For compensation cases, contacting the D.C. Office of Risk Management (ORM) to seek assistance in locating a position within the District Government for which he/she may be qualified.



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