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# UW-Madison Police Department

## Policy: 22.3

**SUBJECT: CONDITIONS OF WORK**

**EFFECTIVE DATE: 06/01/10**

**REVISED DATE: 07/15/14, 10/01/16, 07/01/17; 04/17/19; 04/16/20; 04/21/21**

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**STANDARD: CALEA 22.3.1 – 22.3.5 WILEAG 2.4.5**

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### POLICY:

The UW-Madison Police Department shall document, disseminate, and equitably apply policies relating to conditions of work.

### DEFINITIONS:

“Department Fitness Event” is a planned event sanctioned by the Department specifically relating to physical fitness.

“Extra-duty employment” is defined as any secondary employment that is conditioned on the actual or potential use of law enforcement powers by any off-duty officer.

“Fitness Time” is time an employee may request to do physical exercise during work hours in paid status.

“Off-duty employment” is defined as any secondary employment that is not conditioned on the actual or potential use of law enforcement powers by any off-duty employee.

### PROCEDURE:

#### 22.3.1 PHYSICAL EXAMINATIONS

- A. Any physical examination shall be conducted only to confirm the employees continued fitness to perform the tasks of their assignments and to inform them of their general physical condition, not to identify employees with disabilities who are otherwise able to perform their assigned duties, with or without reasonable accommodation.
- B. All sworn and security personnel are required to submit to a physical examination prior to their initial hiring. All employees are also encouraged to have their own physical examination performed annually.
- C. The nature of some specific positions or responsibilities may necessitate periodic specific health screenings, such as those for crime scene personnel, firearms instructors, or range technicians who are repeatedly exposed to hazardous chemicals or lead contaminates. Any physical examination specifically required of any employee by the Department shall be provided at no cost to the employee.

#### 22.3.2 CRITERIA FOR PHYSICAL FITNESS

- A. The functions of a law enforcement agency require a level of physical fitness not demanded by many other occupations. Thus, both sworn and security personnel shall pass the Department-approved, job-related physical assessment prior to obtaining a final offer of employment. Standards of fitness are those that have been shown to be directly related to the tasks performed. They are not created to eliminate or penalize employees who can otherwise perform the tasks of their assignment, with or without reasonable accommodation.
- B. All Department employees are required to maintain a level of fitness that permits them to effectively perform their assigned job tasks.

### 22.3.3 FITNESS AND WELLNESS PROGRAM

- A. The Department supports and recognizes the benefits and importance of employee wellness to the overall operations of the Department. The Department provides a fitness and wellness program for employees. Participation in this program is voluntary.
- B. Employees have the responsibility to maintain a level of physical fitness needed to perform the required physical elements of their position. The Department supports these efforts through the fitness portion of the fitness and wellness program.
- C. A coordinator designated by the Chief of Police manages the overall fitness and wellness program.
- D. The Department offers the use of an exercise training room, which requires a personal fitness assessment. Any employees interested in using the exercise training room shall contact the Personnel Sergeant or designee to receive authorization to use the exercise training room.
  - 1. A Department-approved fitness trainer shall conduct the personal fitness assessment, which includes a health screening, strength and condition assessment and individual education and goal setting.
  - 2. The Department-approved fitness trainer shall approve equipment authorized for use.
- E. Full-time employees in good standing may request up to one hour of Fitness Time once per week (Sunday-Saturday) via the Fitness Time request form. A supervisor shall review the request, approve or deny it, and inform the requesting employee if it is approved or denied. Any unused or denied time does not accrue from week to week.
  - 1. An approved request may be canceled or the employee may be required to immediately return to work during Fitness Time due to Department needs. The employee shall be immediately reachable during Fitness Time. The hour includes any time needed prepare for the workout and clean up after the workout.
  - 2. The Department or a Unit may block certain times as unavailable for Fitness Time for all employees or specific groups of employees. Employees shall be made aware of blocked times.
  - 3. Employees shall check out with the supervisor prior to starting the workout and check in with the supervisor when complete.
  - 4. Workouts shall occur on campus and be within the employee's capabilities and fitness level. Any injuries sustained during a workout shall be reported to a supervisor as soon as practical.
  - 5. Employees are responsible for any costs incurred because of their workout (e.g. gym membership, clothing, shoes, etc.).
  - 6. Fitness Time shall not be the cause of overtime. If it shall cause overtime on that day, the employee may flex hours during their shift to do the workout in unpaid status with supervisor approval.
  - 7. Failure to follow the program parameters may result in the employee not being allowed to participate in the program until approved by the Chief or designee.
- F. All employees may participate in Department Fitness Events. Up to once per week, employees may participate in paid status during their regular work hours. Employees may participate in unpaid status for events outside of their work hours or if attending more than one event during a week. Employees shall have supervisor approval to participate. Participation is voluntary.
  - 1. All Department Fitness Events shall be approved by the Wellness and Fitness Coordinator to ensure it does not conflict with other Department scheduled events and activities or campus events requiring significant Department resources.
  - 2. Department Fitness Events shall be reasonable and can accommodate varying fitness levels.
  - 3. Employees may be required to cover the cost of their participation as needed for certain events (e.g. specialized classes, specific gear required, etc.).
- G. Within a week, employees may participate in Fitness Time and a Department Fitness Event in paid status, but neither may cause overtime.
- H. The Department shall make available information or resources on a variety of wellness topics which employees may access.

#### **22.3.4 OFF-DUTY EMPLOYMENT**

- A. The Department has the first priority claim to an employee's services for both regular and overtime assignments. Therefore,
  - 1. Outside employment, including self-employment, shall not be in conflict with the best interests of the Department; and
  - 2. Department uniforms, equipment and/or authority shall not be used for outside employment.
- B. An employee applying for outside employment shall submit a notification in writing to the Chief of Police with a copy to their supervisor. The letter shall contain the prospective employer's name, address, and telephone number, the name of the immediate supervisor (if known), the type of employment, and the dates and hours of employment.
- C. An employee under investigation by their outside employer shall notify their supervisor and the Chief of Police.
- D. An employee terminating outside employment shall submit notification in writing to the Chief of Police with a copy to their supervisor as soon as they terminate outside employment.

#### **22.3.5 EXTRA-DUTY EMPLOYMENT**

- A. Sworn personnel shall receive Departmental permission prior to engaging in extra-duty employment. An employee applying for outside employment shall submit a notification in writing to the Chief of Police with a copy to their supervisor. The letter shall contain the prospective employer's name, address, and telephone number, the name of the employee's immediate supervisor, the type of employment, and the dates and hours of employment.
- B. Such applications shall outline all significant job-related aspects. The Chief of Police shall review all applications for extra-duty employment before granting approval. Advice should be sought from legal authorities when necessary and appropriate.
- C. The authority of officers working in an extra-duty capacity shall be clearly defined prior to the commencement of job-related duties. Such authority shall be determined by one or more of the following: State Statute, Department directives, established written agreements, and jurisdiction.
- D. The Department shall be considered each employee's primary work responsibility. Employees may be required to forgo extra-duty employment to meet staffing needs.
- E. No special consideration shall be given to scheduling regular duty hours to accommodate extra-duty employment.
- F. No employee shall engage in extra-duty employment that would constitute a conflict of interest or would bring discredit to the Department. Employees shall not use Departmental uniforms or equipment for extra-duty employment purposes unless approved by the Chief of Police or designee.
- G. The Chief of Police may deny or revoke approval when extra-duty employment results in any of the following: being unavailable during an emergency, requiring special consideration for scheduling regular duty hours, being physically or mentally exhausted, bringing the Department into disrepute, impairing the operational efficiency of the Department or its employees, and requiring or encouraging the access to privileged information.
- H. An employee under investigation by their outside employer shall notify their supervisor and the Chief of Police.
- I. An employee terminating outside employment shall submit a notification in writing to the Chief of Police with a copy to their supervisor as soon as they terminate outside employment.
- J. The Chief of Police or designee may periodically approve, review, or revoke processes pertaining to extra-duty employment.
- K. The Executive Assistant to the Chief or designee shall act as the point of coordination for extra duty employment and shall maintain records of all extra duty employment by department employees.

### **22.3.6 RESIDENCY REQUIREMENT**

- A. Sworn employees are required to maintain residency within one hour response time of UW Police Headquarters. Response time may be measured by driving during the least congested time period while obeying all traffic regulations.
- B. The Chief of Police may waive this requirement.