

**EMPLOYEE BENEFITS and  
CLEARANCE PROCEDURES****I. POLICY**

It is the policy of the Department to treat all of its employees fairly and equitably. The Department does not take lightly the separation of one of its employees, regardless of the circumstances. When an employee separates from the Department, the Department will ensure that the employee is provided with pertinent information so that all of the Department's clearance procedures are followed.

**II. CHECKLIST (N/A)****III. DEFINITIONS (N/A)****IV. FORMS**

- ☐ Uniform and Equipment Checklist.
- ☐ Notice of Personnel Action Form (MPTC Form #18).

**V. PROCEDURES****1. Wages & Compensation**  
(Town Code; chp.21-6)

Wages are paid in accordance with the current budget as enumerated in the Town Code. Separation of employment is handled through the Chief's Office in accordance with the Town Administration.

**2. Compensatory Leave**

Employees may be eligible to earn compensatory leave in lieu of overtime pay. Normally the ceiling for compensatory time accumulation is 50 hours. Any employee having in excess of 240 hours of vacation leave is not eligible to earn compensatory leave.

Once earned, employees shall be permitted to use compensatory leave within a reasonable amount of time.

**3. Holiday Compensation**

Compensation for holidays will be in accordance

with the Town Code, Chapter 21, Section 10.

**4. Employee Termination Clearance Procedures**

(Town Code; chp.21-9)

***Sworn Employee Procedures***

Employees shall return all uniforms and equipment as detailed on the Uniform and Equipment Checklist, to include the keys and other issued materials for all Departmental vehicles and all keys to Departmental or Town buildings and offices.

In addition to these items, sworn officers will turn in or account for:

- ☐ All Departmental badges or identification cards.
- ☐ Maryland Police Training Commission Certification Card. Employees should obtain a copy of the MPTC Personnel Action Form.
- ☐ All outstanding property and/or evidence
- ☐ All criminal investigative case files.
- ☐ All Maryland and Town citation and parking books

Employees should also notify the appropriate Court regarding upcoming court dates

***Civilian Employee Procedures***

Civilian employees shall return all issued equipment and identification cards.

***Supervisor's Responsibilities***

A Departmental supervisor shall:

- ☐ Monitor the clearing process to ensure all uniforms, equipment, and identification cards are returned.
- ☐ Ensure all Departmental property is returned.
- ☐ Conduct an investigation when an employee has not properly checked out or retains Departmental property.
- ☐ Sign the Uniform and Equipment Checklist indicating final disposition of all Departmental property.

***Salary-Due Departing Employees***

Employees terminating employment in the middle of a pay period are paid only for the actual number of hours worked. Scheduled days off shall not be included in the computation of a completed

workweek or portion thereof.

Employees should contact the Chief of Police before submitting a letter of resignation to facilitate a date that creates the least difficulty for the employee's pay considerations. Employees should also consult Town Code, 21-12 regarding retirement benefits.

***Involuntary Separation — Letter from Chief of Police***

Whenever an employee is involuntarily separated from employment, the Chief of Police shall direct a letter to the employee containing the following:

- ☐ Reason for separation
- ☐ Effective date of separation

***Involuntary Separation — Explanation of Benefits***

Whenever an employee is involuntarily separated from employment, a supervisor in association with the Town administration shall explain the following during a scheduled clearance interview:

- ☐ Statement of the status of fringe and retirement benefits after dismissal.
- ☐ Summary of benefits that may continue after separation.

**5. Retirement Procedures — *Departmental Participation***

Employees are requested to formally notify the Chief of Police in writing no less than 30 days before the desired retirement date.

***Official Retirement Mementos***

The Chief of Police shall secure and present the following to retiring personnel:

- ☐ Retirement badge
- ☐ Wall decoration or plaque displaying the Town police logo and the retiring employee's name, years of service, and retirement rank
- ☐ Retirement identification card

**VI. GOVERNING LEGISLATION & REFERENCE**



**EMPLOYEE INJURIES & ILLNESSES****I. POLICY**

Employee safety, both on and off-duty, is of paramount concern to the Cheverly Police Department. When an employee is injured or becomes ill, either on or off duty, to the extent that he or she must be on leave, the employee shall immediately notify his or her supervisor.

Supervisors shall immediately notify the Chief of Police in the event an employee is fatally injured on the job.

**II. CHECKLIST (N/A)****III. DEFINITIONS**

**Work-Related Injuries:** Include injuries resulting directly from a work-related task or duty and occupational diseases

**Occupational Diseases:** Ailments, disorders, or illnesses resulting from work conditions inherent and inseparable from employment

**Recurring Injury:** A recurring injury is a recurrence or aggravation of an injury that an employee has previously reported

**Return to Work Policy (RTW):** This program provides a progression of such temporary duties and assignments resulting in the eventual return of an injured employee to their regular duties.

**Injury Coordinator (IC):** This coordinator (Town Administrator) will be responsible for administering the Town's Return to Work Policy

**IV. FORMS**

- ☐ Attending Physician's Notification Form/ Employee Injury Form
- ☐ Commander's Information Report
- ☐ Incident Report
- ☐ Modified/Transitional Duty Offer Letter

**V. PROCEDURES****1. Injuries/Illnesses Incurred On-Duty*****Employee's Responsibilities***

Employees shall notify a supervisor within 24 hours of the occurrence of any job-related injury or illness, no matter how minor.

For occupational diseases, employees shall notify a supervisor within 24 hours of the time they were aware of the disease or diagnosis, or should have been aware of the occurrence of the occupational disease.

Failure to notify a supervisor may disqualify employees from eligibility for disability leave. Workers' compensation benefits will not be affected.

Employees are encouraged to make an appointment with a licensed physician within 24 hours of sustaining a work-related injury, even if they do not have a visible injury or immediate pain. A licensed physician should examine the employee within seven calendar days of sustaining a work-related injury. Please refer to the procedures in **Sec. 4: Certification, Diagnosis, & Prognosis upon Examination by a Physician** and **Sec. 6: Return to Work Program**.

***Supervisor's Responsibilities***

Upon being notified of an employee's job-related injury or occupational disease, supervisors shall initiate an investigation, and are responsible for the timely completion and submission of all necessary initial paperwork for their employees regarding any injury. They shall make all required notifications, and forward the completed initial injury paperwork through the chain of command to the Chief of Police.

Supervisors shall also be responsible for completing follow-up injury paperwork for employees that are placed on no duty or light duty. Please refer to the procedures in **Sec. 4: Certification, Diagnosis, & Prognosis upon Examination by a Physician** and **Sec. 6: Return to Work Program**.

**2. Injuries/Illnesses Incurred Off-Duty**

When employees incur an off-duty illness, injury, or medical condition that may prevent them from

performing their assigned duties, they shall notify their supervisors within 24 hours of occurrence. If an employee is diagnosed with an infectious disease, such as tuberculosis, he or she shall notify his or her supervisor within 24 hours of diagnosis. The supervisor shall notify the Chief of Police as soon as practical.

If the off-duty injury or illness occurred while performing a police action, the supervisor shall contact Chesapeake Employer Insurance (State of Maryland, Injured Worker's Insurance Fund (IWIF) to report the injury or illness within 24 hours.

Regardless of duty status, in cases of infectious disease, the supervisor shall contact Chesapeake Employer Insurance (IWIF) to report the illness within 24 hours of diagnosis.

### **3. Forms to be Completed Upon Notification of Injury or Illness**

Supervisors shall complete the below listed reports and forms upon being notified of an employee's injury or illness.

#### ***Commander's Information Report***

- ☐ Supervisors shall complete and forward the original to the Chief of Police for review before going off duty.

#### ***Incident Report***

- ☐ Supervisors shall complete and forward the original to the Chief of Police for review before going off duty.
- ☐ The approved original shall be forwarded to the Records Section.

### **4. Certification, Diagnosis, & Prognosis upon Examination by a Physician**

Employees (either on-duty or off-duty) who become ill or are injured to the extent that the impairment may render them unable to perform their normal duties shall be examined by a physician.

The employee shall provide the physician with an *Attending Physician's Notification Form* /

*Employee Injury Form*. The employee shall have the physician review and complete the entire form, including Assessment and Duty Recommendation sections, ensuring that the physician reviews the position description for police officers prior to making a duty status recommendation. The employee shall also ask the physician to indicate on the form what date he or she may be able to return to full duty or be placed on light duty.

In the event that an employee is injured and requires immediate transport to an emergency care facility, a supervisor will be required to respond and present this form to the physician or other healthcare professional.

Any change in duty status will not be considered until this form is returned to a supervisor. There are NO exceptions to this policy.

*"Attending Physician's Notification/Employee Injury Forms"* must contain the signature of a physician. If a Certified Nurse Practitioner (CNP), Physician's Assistant (PA), or similar medical practitioner completes the Attending Physician's Notification Form, the form must be co-signed by a physician. Forms that contain only the signature of a CNP, PA, or similar medical practitioner cannot be processed and will be returned to the employee.

The employee shall forward his or her initial Attending Physician's Notification Form to their supervisor. The Attending Physician's Notification Form shall be submitted by the employee the day of the examination for on-duty injuries, and no later than three days after an examination for off-duty injuries.

### **5. Return to Work Program**

The Town of Cheverly has adopted a Return to Work (RTW) policy and is committed to returning injured employees to modified and/or transitional duty as soon as possible after an injury. The RTW program provides a progression of such temporary duties and assignments resulting in the eventual return of the injured employee to their regular duties.

The Town Administrator will act as Injury Coordinator (IC) and will be responsible for



administering the RTW.

- ☐ All injuries will be reported to the employee's direct supervisor, who will notify the IC within 24 hours. The IC will follow the Work Injury Checklist to obtain the necessary information and notify the Town of Cheverly's Workers Compensation administrator within 24 hours.
- ☐ The injured employee will seek medical treatment as soon as possible following the injury. The employee may choose their medical provider. If the employee wishes, the IC can provide a list of providers from which to choose.
- ☐ The injured employee must provide the name and phone number of the medical provider to the IC as soon as possible.
- ☐ The IC will contact the employee's medical provider and alert them that the Town of Cheverly has a RTW program in place and will provide the medical provider with a description of the injured employee's regular job, and a Physician's evaluation form.
- ☐ The IC will be responsible for maintaining regular contact with the injured employee, medical provider, and claims adjuster for the duration of the employee's injury.
- ☐ Once the medical provider has approved modified/transitional duty, the injured employee will be given a "Modified/Transitional Duty Offer Letter," outlining the modified transitional duty job available to the injured employee during their recovery. If the injured employee accepts the offer then modified/transitional duty can begin according to the medical provider's release. If the employee refuses the modified/transitional duty offer, the Town of Cheverly's Workers Compensation administrator will be notified and the injured employee's temporary claims benefits MAY be jeopardized.
- ☐ During the modified/transitional duty period, the IC will coordinate with the injured employee, the employee's medical provider, and workers compensation administrator to monitor the employee's performance and progress toward recovery.
- ☐ Modified/transitional duty will be allowed as long it is realistic for the job to continue or until the injured employee has received a release to full duty from the medical provider. If the original temporary job cannot continue

but the employee has not been released to full duty, another modified/transitional duty job will be assigned.

The recovery and safe return to work of injured employees is the Town of Cheverly's first priority. Any problems or concerns about modified/transitional duty can be addressed through the IC.

#### ***Return to Work Notice***

The employee's supervisor shall complete *The Return to Work Notice* section of the Employee Injury Form upon the employee's return to light duty or full duty.

When calculating the number of workdays on no duty status, the number is the cumulative total of only those days that were to be worked by the employee. Forward follow-up Attending Physician's Notification Forms to the Chief of Police; the forms shall be completed at least once every thirty days or whenever a no duty employee is examined by a physician.

#### **6. Employees on Light Duty**

An employee with a temporary impairment may be detailed to duties within his or her capacity to perform, pursuant to his or her physician's decision. Work restrictions and the classes of work that the employee may safely pursue must be specified.

Light duty assignments are limited to the period specified in an Attending Physician's Notification Form and cannot exceed 30 calendar days.

Light duty assignments will be based upon:

- ☐ The needs of the Police Department.
- ☐ The medical information provided by the attending physician or medical records.
- ☐ The qualifications of the light duty Employee.

#### **7. Change in Duty Status of Employees on No Duty or Light Duty in Excess of Three Days**

No duty employees shall remain in a no duty status until returned to light duty or full duty by their physician or ordered back to light duty or full duty by the Chief of Police or his designee.



Light duty employees shall remain in a light duty status until returned to full duty by their physician or ordered back to full duty by the Chief of Police or his designee.

Employees whose duty status has been changed by their physician shall immediately report this change to the Chief of Police on an Attending Physician's Notification Form.

#### **8. Procedures for Recurring Injuries/Illnesses**

##### ***Documentation Required***

A recurrence or aggravation of an injury is considered a continuation of the original injury and requires corroborating medical documentation. The recurrence or aggravation may occur on or off duty.

For claim purposes, the date of recurrence is the first day of scheduled work the officer misses, no matter when the actual recurrence injury happened.

Employees shall report recurring injuries/illnesses in the same manner as original injuries/illnesses, including an Attending Physician's Notification Form.

The review and forwarding process is the same as for original work-related injuries and illnesses.

Supervisors shall document recurring injuries and illnesses on a Commander's Log and Incident Report. When completing this form, supervisors must include the date of the original injury or disease and the date of recurrence.

#### **9. Examination by Town or IWIF Physician**

Whenever the Chief of Police has reason to believe that an employee's health impedes satisfactory performance of his or her duties and responsibilities, the Chief of Police may require the employee to be examined by a physician retained by the Town or IWIF at no cost to the employee.

The Town-retained physician will attest to the physical ability of the employee to remain on leave or return to work. At the Department's discretion,

it may accept the employee's physician's recommendation in lieu of the Town's physician's recommendation

When there is confirming medical evidence that the employee has recovered and is able to satisfactorily perform his or her duties, any limitations imposed pursuant to previous Attending Physician's Notification Forms will be removed and the employee will be returned to full duty.

#### **10. Job-Induced Psychological Disorders**

If a mental health professional diagnoses an employee with a job-induced psychological disorder, the employee's supervisor shall follow reporting procedures as if it were a work-related injury/illness.

The Chief of Police shall decide the employee's duty status, such as reassignment or suspension pending case resolution.

#### **11. Handling Medical Documents from Outside Agencies**

Employees receiving correspondence from doctors/medical facilities or collection agencies regarding medical bills should be forwarded immediately to the Chief of Police.

Employees receiving hospital and doctor bills, receipts, certificates, x-ray reports, or other medical reports shall promptly forward to the Chief's office.

#### **12. Disability Leave - Employee Leave Status**

Time absent from the job for medical treatment on the date of injury or occupational disease shall be charged to sick leave.

An employee may be placed on disability leave when they incur an illness, injury, disability, or medical condition that prevents them from performing the duties of their position. The Chief of Police, in consultation with Town Administration determines an employee's eligibility for disability leave based on supporting medical documentation, provided that proper notifications of the injury or illness were made.



Employees are not back-charged sick or annual leave for leave used while waiting for approval for disability leave.

If the injury or illness is subsequently determined not to be duty-related or does not require the employee to remain on disability leave, the employee shall be placed on sick leave, returned to full duty, or placed on light duty.

Suspension of police powers in these cases is determined on a case-by-case basis, after supervisory recommendation and command review. The Chief of Police makes the final decision.

### ***Disability Leave Time Limitations***

Disability leave is limited to the period specified in the Attending Physician's Notification Form. Disability leave may be granted for up to 30 calendar days based on one Attending Physician's Notification. Employees on disability leave shall submit an Attending Physician's Notification Form to the Chief of Police at least every 30 calendar days in order to be eligible for additional disability leave.

### ***Denial of Disability***

Disability leave shall not be granted when the Chief of Police, in consultation with the Town administration, decides that the employee's disability is not work-related. In such cases, the employee shall be placed on either sick or annual leave, or LWOP status.

The Chief of Police shall order the employee to return to duty. If the employee refuses to return to work, the Chief of Police may initiate disciplinary action for being AWOL and/or insubordinate.

### ***Assignment of Workers' Compensation Benefits***

Employees shall assign to the Town such non-medical benefits as awarded for the temporary disability by the Maryland Workers' Compensation Commission.

## **13. Communicable or Infectious Disease Exposures**

### ***Employee's Responsibilities***

Employees who sustain potential infectious disease exposure shall notify a supervisor immediately, or as soon as they become aware of the exposure.

Any on-duty employee who is exposed to a communicable disease, blood or body fluid, or other potentially infectious materials (to include needle sticks) shall immediately respond to a medical care facility.

An employee exposed to the blood or other body fluids of an individual transported to a medical care facility shall ensure that the CCN and his or her ID number are placed on the individual's admission/medical forms.

The employee shall also ensure the CCN and his or her ID number are placed on the ambulance reports when the individual is transported by ambulance. Placing these numbers on the appropriate forms allows subsequent notifications to the employee when necessary.

### ***Dissemination of information***

Any employee having information relating to another employee's infectious disease exposure shall not divulge such information except, as necessary:

- ☐ To a medical care facility.
- ☐ To a source having a legitimate need to know.
- ☐ Up the chain of command.

### ***Supervisor's Responsibilities***

Supervisors shall investigate each reported infectious disease exposure.

Supervisors shall ensure that the employee, within one working day following the incident, schedules an appointment for an evaluation of the incident to determine appropriate medical follow-up procedures.

## **14. Infectious Disease Exposure Guidelines**

### ***Needle Stick/Sharp Instrument Injuries***

Aside from sexual activity and accidental exchange of body fluids, these injuries represent the greatest risk of transmission of HIV and hepatitis viruses. Extraordinary precautions should be taken to prevent needle stick/sharp instrument injuries. When conducting searches, employees should never blindly place their hands in areas where there may be sharp objects that could puncture the skin.

Any employee receiving a needle stick or sharp instrument injury should allow the injury to bleed freely, then immediately wash the area for at least 30 seconds with running water and soap or other approved detergent/hand cleaner. As these injuries represent a significant communicable disease exposure risk, the employee shall seek immediate medical treatment. The attending physician should be made aware of the circumstances surrounding the injury in order to determine the appropriate treatment.

### ***Mouth-to-Mouth Exposures***

When possible, employees shall use disposable airway equipment, resuscitation bags or protective face shields. Any employee performing mouth-to-mouth resuscitation on a respiratory arrest victim shall immediately respond to the medical care facility where the victim was transported. The employee shall notify the attending physician of the incident so that a preliminary diagnosis can be made and a possible diagnostic test may be performed to rule out the presence of infectious disease.

When mouth-to-mouth resuscitation is performed on an infant or a person with a history of recent cold or fever, the attending physician should be requested to obtain throat cultures of the person.

### ***Sexually Transmitted Diseases***

Employees may receive anonymous testing for sexually transmitted diseases from the Prince George's County Health Department.

### ***Handling Prisoners Infected With Contagious Disease***

Known infected prisoners shall be isolated from

other prisoners if their behavior is violent, unpredictable, or they are unable to control body fluids. If the prisoner is transferred to another authority, the custody officer shall notify the receiving agency that the prisoner has an infectious disease. This notification shall be made prior to the transfer and shall be restricted to those with a need to know. The notification shall be documented in the narrative section of the appropriate report.

### ***Skin Contact with Potentially Infected Material***

In the event of skin contact, the affected area should immediately be washed for at least 30 seconds with soap, detergent, or hand cleaner and warm running water. Prompt washing is an effective method of preventing the spread of various infectious diseases.

Although rare, transmission may occur when infected blood contacts breaks in the skin such as chafed areas, cuts, or abrasions. Before beginning a tour of duty, employees should cover these areas with a waterproof bandage or dressing to provide an additional barrier to infected blood or body fluids. Bandages should be changed when they become soiled or wet.

### ***Surface or Object Contact***

Any area within a Departmental facility or vehicle that has been contaminated by the fluids of any person shall be cleaned with a detergent, and then disinfected for 20 minutes with a freshly mixed solution of one part bleach to nine parts water. Employees shall ensure that the contaminated area is not used until such cleansing is accomplished. Employees cleaning contaminated areas shall wear disposable gloves.

### ***Clothing Contact***

Precautions shall be taken if the soaking of clothing by blood or body fluids is likely. Contaminated clothing shall be promptly cleaned in a hot washing/drying cycle or by dry cleaning. Disposable latex gloves shall be worn when handling contaminated clothes.

### ***Processing Incident Scenes***



Employees shall wear disposable latex gloves when processing any incident scene where blood or blood-contaminated items are present and must be handled. Alternative clothing should be worn if the soaking of clothing by body fluids is likely.

### ***Handling Contaminated Evidence***

All contaminated evidentiary items shall be submitted in paper bags after complete air-drying. Appropriate sections of the Adhesive Evidence Label shall be completed and the label placed in the lower right corner of the bag. The bag shall be clearly marked "Contains Possible Contaminated Items."

### ***Disposal of Contaminated Items***

Contaminated, disposable articles such as latex gloves should be treated as infectious waste. Articles shall be placed in biohazard bags and the bags placed in biohazard receptacles. Alternately, the items may be soaked in a fresh mixture of one part bleach and nine parts water. Articles should then be placed in a second bag and disposed of in a standard trash receptacle.

In lieu of the preceding, employees may contact any hospital emergency room and request authorization to dispose of contaminated articles there. Employees may also contact any fire station for advice and possible assistance.

### ***Reportable Contacts with HIV-Infected Persons***

The following types of contacts with an HIV-infected person shall be documented on an Incident Report. A supervisor shall be immediately notified and ensure compliance with this and other written directives.

An incident involving exchange of body fluids of an HIV-infected person is:

- ☐ Any needle stick or sharp-instrument injury that breaks the skin.
- ☐ The dousing of any mucous membrane, such as eyes and mouth, with the body fluids of an HIV-infected person.
- ☐ Cardiopulmonary resuscitation with blood/body fluid exposure.
- ☐ Any human bite.

If an employee experiences a contact that does not fit into any of the above categories and the employee feels that the exposure was significant, he or she may document the contact on an Incident Report.

### **15. Contagious Disease Exposure Notification by Medical Care Facility**

*(Maryland Health Article 18-213)*

#### ***Notification to CPD***

When the medical care facility determines that an employee has been exposed to certain diseases by a patient, it shall notify CPD. The points of contact for notification are:

- ☐ The Chief of Police
- ☐ Any supervisor

One of the above persons shall determine whether any Departmental employees had contact with the patient. If so, he or she shall immediately contact each exposed employee for an evaluation of the incident to determine appropriate follow-up procedures. During this evaluation, the employee shall initiate an Incident Report.

If medical treatment or testing is appropriate, the exposed employee shall immediately report the incident to his or her supervisor. It is recommended that the employee report to a Town-contracted or designated health provider for treatment/testing.

When the Department receives any notification described in this subsection, the recipient shall ensure that the notification is passed to the point of contact.

The law requires notification for exposures to the following:

- ☐ Human Immunodeficiency Virus (HIV)
- ☐ Hepatitis B
- ☐ Meningococcal Meningitis
- ☐ Tuberculosis
- ☐ Mononucleosis

#### ***Notifications by Fire/EMS***

When an employee receives a contagious disease

exposure notification from the Fire/EMS Department, the employee shall immediately obtain the names of involved CPD employees and pass the information to a Departmental point of contact.

### *Hepatitis Cases*

When an employee sustains an exposure to Hepatitis-B, he or she should contact the Town-contracted or designated health provider regarding the Hepatitis-B Immune Globulin, Gamma Globulin, or Heptavax-B vaccine, as appropriate. For line-of-duty exposures, the vaccine shall be provided at Departmental expense.

### **16. Suspected Carbon Monoxide Leaks in Vehicles**

#### *Carbon Monoxide Poisoning*

An employee complaining of illness due to fumes while operating a Departmental vehicle shall stop the vehicle as soon as practicable and contact a supervisor. The supervisor shall:

- ☐ Contact the Public Works Director to arrange for vehicle testing for carbon monoxide presence.
- ☐ Deadline the vehicle.

#### *Public Works Responsibilities*

On receipt of a complaint from a supervisor, Public Works personnel shall request a vehicle carbon monoxide detection test from the Prince George's County Health Department, Division of Air-Quality Control.

Upon request, the Health Department will conduct a carbon monoxide detection test and provide the results to Public Works. If the test discloses an unacceptable level of carbon monoxide or other noxious gas, the vehicle shall be dead-lined until repairs are completed. Authorization to return a Departmental vehicle to operation must come from the Public Works Director.

## **VI. GOVERNING LEGISLATION & REFERENCE**

### **Reference:**

- ☐ Maryland Code, Labor and Employment Article.
- ☐ Maryland Code, Health Article Section 18-213.



**EQUIPMENT****I. POLICY**

Employees are responsible for the care, security, and proper maintenance of all Departmental equipment, uniforms, or property issued to them. Employees shall not use Departmental equipment or property negligently.

**II. CHECKLIST (N/A)****III. DEFINITIONS (N/A)****IV. FORMS**

- ☐ Commander's Information Report
- ☐ Uniform and Equipment Inspection Report

**V. PROCEDURES****1. Duty to Care for Equipment**

An employee's assigned items requiring scheduled maintenance, such as departmental vehicles, shall ensure compliance with required schedules.

**2. Body Armor**

Body armor, as identified in this General Order, is described in two forms:

- ☐ Primary-Ballistic material designed for every-day wear, measured and cut to fit the individual officer.
- ☐ Secondary-Ballistic plate carrier with two armor plates that resist high-powered semi-automatic pistols and some rifles, designed as adjunct wear when needed.

Except where specified otherwise in this section, the wearing of primary body armor is mandatory when officers are:

- ☐ Attempting warrant service.
- ☐ Attending classes as a recruit officer provided a vest has been issued, and the instructor has not determined the type of instruction to be incompatible with vest use.
- ☐ Deployed to uniformed patrol duties, including those desk assignments involving regular public-contact.

- ☐ Engaged in any specialized uniformed enforcement activities, such as traffic enforcement and crowd control.
- ☐ Performing stakeout or surveillance duties.
- ☐ Working secondary employment in uniform.

The wearing of both primary and secondary (if available) body armor is mandatory when officers are:

- ☐ Responding to a call for an armed assailant with shots fired or a hostage/barricade situation.
- ☐ Engaged in pre-planned high-risk activities. Officers that are exempt from wearing body armor shall not engage in pre-planned high-risk activities.
- ☐ Participating in the entry phase of any narcotics or other forced entry search warrant execution.
- ☐ Any situation where, prior to the officer's response, it is likely extra ballistic protection may be warranted.

A supervisor may also order subordinates to wear body armor in other situations where a heightened risk of injury is present.

The listed mandatory-wear requirements apply to all officers in the specified activities regardless of rank.

***Exceptions & Waivers***

Officers are not required to wear body armor when:

- ☐ They give their supervisor a certification from a licensed physician that body armor use is precluded by a medical condition (the supervisor shall place the certification in the officer's personnel file).
- ☐ Wearing an issued uniform blouse.
- ☐ Working approved extra duty employment in civilian attire.
- ☐ Working an undercover assignment where armor use could reveal the officer's identity.

Officers who otherwise are required to wear armor may temporarily remove the armor when in a secure police facility away from prisoners or the public.

Only the Chief of Police may authorize additional waivers to these provisions in writing.

### ***Authorized Body Armor & Manner of Deployment***

Officers shall receive one NIJ Standard, Type III-A primary ballistic-resistant vest and two standard carriers as part of their initial uniform and equipment issue or as replacement for their current body armor upon its expiration. Officers may purchase a winter outer-garment carrier from the Departmental vendor at personal expense.

Officers shall receive one NIJ Standard, ballistic plate carrier with two rifle plates Level III+ or IV as part of their initial uniform and equipment issue or as replacement for their current body armor upon its expiration.

Officers wearing body armor shall use a carrier provided by the armor manufacturer.

Ballistic-resistant vests shall be worn under the shirt, except:

- ☐ When wearing the outer-garment carrier.
- ☐ When an emergency does not allow insertion beneath the shirt.
- ☐ When an investigator in civilian attire chooses to wear the vest over his shirt temporarily while serving an arrest or search warrant, conducting surveillance or participating in a street-narcotics operation. The armor must be concealed by a sport coat or jacket.

The outer garment carrier may be worn with the uniform whenever a long-sleeved shirt is worn, except it shall not be worn with the uniform sweater. The outer-garment carrier need not be covered by a jacket or coat.

Officers shall obtain supervisory approval before wearing specialized armor or a ballistic-resistant vest or equipment other than issued. If approved, the supervisor shall ensure the officer is aware of the armor's proper method of use, capabilities, and limitations.

### ***Care & Cleaning***

Officers shall comply with all care and cleaning instructions included on the labels of issued ballistic-resistant vests, as well as other instructions provided in training. An officer who uses a ballistic-resistant vest manufactured by someone other than the Departmental vendor shall comply with instructions included with that vest.

Exposure to ultraviolet light or certain washing materials and moisture will destroy ballistic capabilities; therefore, officers shall ensure issued ballistic panels:

- ☐ Are periodically wiped with a lightly damp cloth to prevent dirt and body oil buildup.
- ☐ Are not placed in washing machine or dryer.
- ☐ Are not exposed to bleach, harsh detergents or dry-cleaning solvents.
- ☐ Are not folded or placed on a clothes hanger.
- ☐ Are not left exposed in the passenger compartment of a vehicle or inside a building near a window, or otherwise exposed to sunlight, a plant-grow light, florescent light, or any other source of ultraviolet light.

### ***Body Armor Inspection***

Supervisors shall routinely inspect subordinates' body armor. When a violation is observed and disciplinary action is indicated, officers shall be charged with "Failure to Deploy Required Body Armor," a Category I Uniform Violation.

Supervisors shall inspect the issued armor of all his subordinates each January and July. A Uniform and Equipment Inspection Report shall be completed and forwarded to the Chief of Police.

### ***Replacement***

Replacement of unserviceable issued armor due to changes in body size, abuse or accidental damage is the officer's responsibility.

The Department shall replace issued armor that is damaged in line-of-duty gunfire, or other direct performance of duty, or whenever it has been subjected to excessive moisture.

### **3. Garrison Belt**

The following are authorized:



- ☐ Issued belt or replica with buckle having a maximum width of 1¾"
- ☐ Plain belt with Velcro closure and no buckle, having a maximum width 1¾"

Authorized buckles are:

- ☐ Single-pin buckle with belts of the issued type
- ☐ CPD belt buckle, rectangular with brass or brass-colored metal

All other belt buckles are prohibited.

#### 4. Equipment Belt

Articles described in this section shall be of plain black leather design. Basket weave or webbed styles are prohibited. Patent leather and double stitching are authorized.

All metal articles (except on OC holder) used with belts, such as buckles or snaps, shall be of solid brass or polish able brass-colored metal.

The authorized police equipment belts are:

- ☐ Issued police equipment belt.
- ☐ Plain or double-stitched belt and strap (maximum width of 2¼").

#### *Required Articles on Police Equipment Belt*

The following shall be worn on police equipment belts:

- ☐ Authorized handcuff case and handcuffs
- ☐ Issued ASP baton in approved holder
- ☐ Issued OC (spray or foam) device in approved holder
- ☐ Issued duty sidearm in issued holster
- ☐ Issued magazine holder with two loaded magazines
- ☐ Portable radio clip
- ☐ Issued Conductive Electrical Weapon (CEW)
- ☐ Authorized duty flashlight with holder

Officers wearing the equipment belt shall conform to this section.

#### *Optional Articles on Police Equipment Belt*

The following are permitted articles on police equipment belts:

- ☐ Single-clip key ring
- ☐ Pager and/or cell phone
- ☐ Belt keepers

#### *Belt Keepers*

Belt keepers may be a maximum of 1" wide, with inside Velcro® fasteners or two brass snaps.

#### *Handcuff Case*

Officers may wear one of the following:

- ☐ Issued case
- ☐ Plain case with inside Velcro® fastener
- ☐ Plain case with two-handcuff capacity

#### *Flashlights*

Officers must carry the issued black aluminum, rechargeable flashlight, with holder, LED bulb, and tactical strobe.

#### *Pagers & Cellular Telephones*

Employees may wear pagers and/or cell phones. Those with sound alert shall silence them on assignments where safety is a consideration. Pagers and cell phones shall not be visible on the dress uniform.

#### 5. Holsters

Any holster worn must provide weapon retention. Officers wearing a uniform without the police equipment belt shall use a black, belt-mounted holster that encloses most of the barrel and frame and firmly secures the firearm.

Uniformed officers carrying the duty weapon on a police equipment belt shall use an issued holster.

Non-uniformed, commissioned, and off-duty officers shall carry authorized firearms in a holster that:

- ☐ Securely attaches to the wearer's body or apparel.
- ☐ Completely covers the trigger, the trigger

guard, and most of the barrel and frame (the front of the holster may be cut no lower than 1½ inches below the breech face).

- ☐ Retains the firearm securely during physical activities such as running or jumping.
- ☐ If the holster is equipped with a retention device or strap, the officer must be able to secure or fasten it without using his non-gun hand.

Supervisors shall wear the issued holster on the police equipment belt when:

- ☐ Performing patrol duties.
- ☐ Working extra duty employment in uniform.

## 6. Restraint Devices

### *Flex-Cuffs®*

The use of Flex-Cuffs® as a restraint device is generally restricted to incidents where officers plan to make multiple arrests.

When using Flex-Cuffs®, officers will make sure that they are able to slide their pinkie finger between the Flex-Cuff® and the subject's wrist or ankle. Flex-Cuffs® will be checked for proper tightness every 30 minutes. Flex-Cuffs® will only be removed with wire cutters.

### *Handcuffs*

Officers are authorized to use the issued handcuffs or approved hinged handcuffs.

Officers wishing to use any other brand or style of handcuff must have them inspected and approved by the Patrol Commander.

## 7. Gas Masks

Gas masks are maintained under the direction of the Chief of Police.

### *Distribution of Equipment*

Supervisors issuing this equipment to officers not personally assigned such items shall:

- ☐ Provide for the equipment to be transported to the location of intended use.

- ☐ Supervise the equipment issuance, listing all officers to whom equipment is issued.
- ☐ Ensure the equipment is returned by officers.
- ☐ Ensure necessary cleaning, maintenance or repairs are done before returning to storage.

Officers issued this equipment shall return it to the issuing supervisor and inform him or her of any equipment defects.

## 8. Riot Helmets

Riot helmets are maintained under the direction of the Chief of Police. The riot helmet may only be worn with supervisory approval.

## 9. Bicycle Helmets

Officers shall wear a Departmental bicycle helmet whenever operating any Departmental two-wheeled vehicle.

## 10. Reflective Safety Vest

The reflective safety vest will be worn as the outermost garment whenever any employee or police explorer is engaged in traffic direction and/or conducting official business in the roadway, except during an emergency short-term situation.

## VI. GOVERNING LEGISLATION & REFERENCE



**SECONDARY EMPLOYMENT****I. POLICY**

The nature of the duties and obligations of the Department requires that employees work irregular schedules that are subject to change to meet deployment needs. Additionally, it is necessary that employees have adequate rest to be alert during their tour of duty. For these reasons, the Department may limit or prohibit secondary employment that is detrimental to Departmental objectives.

Employees are urged to avoid incurring financial obligations that exceed their ability to satisfy them reasonably with their anticipated Departmental earnings.

The Department may suspend or prohibit employees from engaging in Secondary employment as a disciplinary action for secondary employment violations.

**II. CHECKLIST (N/A)****III. DEFINITIONS**

**Secondary Employment:** Any compensated employment that results from being a Departmental employee, and is not Town sponsored.

**IV. FORMS**

- ☐ Employment Liability Form
- ☐ Request to Work Part Time Memorandum.
- ☐ Secondary Employment Application Form

**V. PROCEDURES**

References to secondary employment in this section mean outside employment where the use of law enforcement powers is anticipated.

Officers are permitted to work secondary employment subject to the restrictions stated in this directive. Exemption requests to these provisions must be transmitted to the Chief of Police.

**1. Limitations & Restrictions**

Secondary employment has the following limitations:

- ☐ Secondary employment is limited to the Political Jurisdiction of Prince George's County.
- ☐ Officers on prohibited leave or duty status (e.g. light duty) shall not participate in secondary employment.
- ☐ Officers on sick leave shall not participate in secondary employment for 24 hours after the end of the shift for which they were on sick leave.

**NOTE ON SICK LEAVE:** An officer using sick leave to care for a household member (e.g., spouse, child) may be exempt from this requirement. They must personally notify a supervisor of their leave status and the reason for it. The supervisor shall review the employee's circumstances and, if appropriate, exempt the officer; without supervisory notification and approval, the officer is not exempt.

- ☐ Officers shall not exceed 20 hours of secondary employment per workweek. This does not include hours worked while on authorized leave or days off.
- ☐ Officers may not work secondary employment between 2 twelve (12) hr. shifts.
- ☐ All officers shall obtain advance written authorization from the Chief of Police and the Town Administrator before submitting a memorandum requesting authorization to begin participating in secondary employment.
- ☐ Each type, company, location, etc., must be documented on a separate Secondary Employment Application Form for every Secondary employment, and each must be approved in advance by the Chief and the Town Administrator.
- ☐ Officers may not receive compensation from another employment source while on-duty for the Town.

***Sworn Employees***

The following types of secondary employment are

prohibited:

- ☐ As a commissioned police officer for any other county, municipality or political subdivision. This does not apply to duties related to U.S. Military, Reserves, or National Guard activities
- ☐ Employment or ownership in, or on behalf of:
  - An attorney,
  - A bail bond agency,
  - An insurance agency,
  - A private detective.
- ☐ Involvement in any form of private investigation duties, including civil process service.
- ☐ Employment for any party in a labor-management dispute.
- ☐ Participation in employment requiring conduct inconsistent with CPD objectives, regulations, ethics, or reputation, or that creates a real or potential conflict of interest.
- ☐ Selling, dispensing, or serving alcoholic beverages in any manner.
- ☐ Employment for any location that has nudity or partial nudity as a form of entertainment.
- ☐ As an independent contractor of police services.
- ☐ Employment for any location or business operating contrary to their Business License or Use and Occupancy Permit as required by law.
- ☐ Employment for any location that does not possess a valid County or Town Business License and/or Use and Occupancy Permit.
- ☐ Receiving payment from two or more employers simultaneously without written permission of the multiple employers.
- ☐ Officers are prohibited from accepting compensation from an employer for the use of Departmental vehicles, equipment, uniforms, or similar assets.

### ***Civilian Employees***

The following restrictions apply to civilian secondary employment, unless exempted by the Chief of Police. Exemption requests shall be made in writing to the Chief of Police. Civilian employees shall not:

- ☐ Participate in secondary employment while

on sick leave or light duty.

- ☐ Represent themselves as sworn police officers.
- ☐ Wear CPD uniforms in the performance of any secondary employment.
- ☐ Work in a line of employment or establishment prohibited to sworn employees.
- ☐ Work security or police related jobs.

### **2. Secondary Employment Log**

Officers shall thoroughly fill out the Secondary Employment Log in advance of the secondary employment. The Log can be filled out by a supervisor in lieu of the officer working Secondary employment. The log shall include:

- ☐ Name and ID#.
- ☐ Hours.
- ☐ Name and address of the business.
- ☐ Attire (uniform or plain clothes).

The Patrol Commander shall maintain all Secondary Employment Logs.

### **3. Notification to Public Safety Communications (PSC)**

Prior to beginning secondary employment, officers shall notify PSC and initiate a CCN for the job assignment. The officer shall provide the dispatcher with the following:

- ☐ Name and ID#
- ☐ Working Secondary Employment Sig. 19
- ☐ Name and address of business
- ☐ Hours
- ☐ Attire (i.e. Uniform, Plain Clothes, Plain clothes with Police vest)
- ☐ Supervising agency if other than the CPD

Officers may log on to their assigned Mobile Data Terminal (MDT). Officers are to confirm the in-service (10-8) over the air with the PSC dispatcher but, at their discretion, may provide a contact number for the secondary employment to PSC via telephone or MDT.

Officers working secondary employment in another municipality or jurisdiction utilizing their own communications component shall notify that jurisdiction's dispatcher immediately following



the PSC in-service confirmation

Officers requiring a CCN for an incident occurring during secondary employment will request a separate CCN for the specific reportable incident, and clear that CCN with the appropriate code. Officers will not use the secondary employment CCN for incident reporting.

Officers must notify the dispatcher over the air of their out-of-service (10-7) status, and close the Secondary Employment CCN as 319.

#### **4. Departmental Vehicle Use**

Officers working approved secondary employment within Town limits may use their assigned vehicle.

Officers may drive their assigned vehicle directly to or from secondary employment as long as:

- ☐ The secondary employment ends just prior to the start of the employee's scheduled tour of duty; or
- ☐ The secondary employment starts just after the end of the employee's scheduled tour of duty.

Employees not meeting the requirements stated above must arrange their own transportation to the station and obtain a pool vehicle in order to utilize a departmental vehicle for secondary employment in the Town. The pool vehicle must be returned to the station immediately after secondary employment.

Employees shall not alter their scheduled tour of duty to accommodate secondary employment opportunities.

Employees working secondary employment, whether participants in the Take-Home Car Program or not, are not eligible to earn overtime pay for incidents related to that employment.

#### **5. Attire**

Officers working secondary employment in the Town shall wear the complete Class D uniform.

Officers working Secondary employment outside the Town shall not wear CPD uniforms or display CPD badges, credentials, or identification cards.

The Chief of Police must approve any exceptions to this requirement. Generally, only non-public contact employment will be considered for non-uniformed Secondary employment.

#### **6. Arrest Compensation**

Officers are not compensated for off-duty court appearances for arrests that result from secondary employment.

#### **7. Responsibilities in the Town**

Officers shall handle duties stemming from incidents occurring on the premises of the off-duty employer, including reports, lookouts, and arrests.

- ☐ Officers possessing CPD vehicles shall transport their own prisoners.
- ☐ Officers shall submit reports in the regular fashion.
- ☐ Officers working traffic control assignments shall handle all traffic accidents.

Whenever an off-duty officer believes an on-duty officer should handle an incident, the officer shall notify a supervisor.

#### **8. Liability**

Whenever officers initiate police action because of police related services offered as part of their secondary employment in the Town or initiate action at the direction of the secondary employer in the Town, they shall have the same professional liability coverage as if they were on duty. This liability is extended as long as officers act within the scope of their duties as CPD officers and take action under the color of law.

To ensure adequate civil protection, especially for that secondary employment outside the Town, officers should require the employer to provide worker's compensation and liability coverage.

### **VI. GOVERNING LEGISLATION & REFERENCE**

**FIELD TRAINING PROGRAM****I. POLICY**

The Field Training Officer is the means by which the goals of the Field Training Program are achieved. The Department recognizes that in order for the Field Training Program to be successful, careful consideration must be given to the selection of participants. Field training is a program required for all probationary officers. It is an extension of the training provided for certification by the Maryland Police Training Commission (MPTC), and provides probationary officers with instruction, direction, guidance, and experience. The program assists them in developing judgment, increasing efficiency, and establishing good habits with respect to conduct and appearance.

The Field Training Program aids the Department in determining whether or not a probationary officer meets the requirements to become a permanent member of the Department.

**II. CHECKLIST (N/A)****III. DEFINITIONS**

**Field Training Officer (FTO):** An officer appointed by the Chief of Police who has completed an MPCTC approved FTO training program and has been certified as an FTO by the MPCTC. FTOs display exemplary abilities, combined with a willingness to assume the role of trainer and coach.

**Field Training Supervisor (FTS):** A supervisor appointed by the Chief of Police who has completed (1) an MPCTC approved supervisor training program and, (2) an MPCTC approved field training program; who oversees the field training program.

**Probationary Officer:** A certified police officer in his/her first two years of employment with the Town of Cheverly.

**Probationary Period:** The probationary period is 24 months from the date of hire for MPTC certified police officers, and 24 months from the date of graduation from a MPTC-approved

academy for non-certified police officers.

**IV. FORMS**

- ☐ Cheverly Police Training Manual
- ☐ FTO Daily Evaluation Form
- ☐ FTO Supervisor's Monthly Evaluation

**V. PROCEDURES****1. Minimum Requirements**

Officers are required to meet all the standards of the Field Training Program and Manual before being released to individual patrol. (See FTO Manual, page 5, "*Requirements for Release*")

***Entry-Level Officers***

Upon graduation from a MPTC-approved academy with certification, entry-level officers are required to complete a 50 working day field training program with a Field Training Officer. The probationary officer is a student, not a partner, in a two-person unit.

Entry-level officers shall not ride with an officer that is not a certified FTO for more than ten days during the 50 day program. Days beyond ten shall be made up with a certified training officer.

***Returning or Experienced Officers***

Officers that return to the department after a resignation, or other extended absence, and newly hired certified officers must complete the Field Training Program.

- ☐ Officers that have successfully completed a Field Training Program in the past and have been separated from employment for less than one year must ride with a Field Training Officer for ten working days.
- ☐ Officers that have successfully completed a Field Training Program in the past and have been separated from employment for one year or more must ride with a Field Training Officer for twenty working days.

This shortened training program is designed to familiarize the officer with the Cheverly Town



Code, Departmental general orders and operating procedures, and to identify any deficiencies the experienced officer may need corrected.

### ***Ratings***

All probationary officers are evaluated on the following numerical scale:

- 1 = Unacceptable
- 2 = Poor
- 3 = Satisfactory
- 4 = Above Average
- 5 = Outstanding

Probationary officers must have a rating of 3 or better in each category for the last 15 days (experienced officers the last 5 days) of field training in order to be released from the program. Successful completion of the Field Training Program is required to be retained as a permanent employee.

## **2. Debriefing Sessions**

The Field Training Supervisor shall conduct a mandatory debriefing session at the end of the first 25 days of the probationary officer's field training and at the end of the 50 day program; or as necessary.

The debriefing sessions are conducted to evaluate the Field Training Program, identify deficiencies, and provide a forum for the exchange of information. This enables the FTO and the probationary officer to evaluate their performance and review their training files. The session will be attended by all FTOs, the probationary officer, and the Field Training supervisor.

## **3. Requirements for Releasing a Probationary Officer from Field Training**

To be released from the Field Training Program, probationary officers must:

- ☐ Complete 50 working days in the program (10-20 working days for experienced officers).
- ☐ Submit a completed Field Training Officer's Manual to the Field Training Supervisor.

- ☐ Receive satisfactory ratings, 3 or greater, in each category for the last 15 days of the program (5 days for the experienced officers).
- ☐ The completed Field Training file for each probationary officer shall be reviewed and approved by the Field Training Supervisor and forwarded to the Chief of Police.

Only original documents shall be accepted by the Chief of Police. Both the probationary officer and the FTO must personally appear before the Chief of Police to request release from the Field Training Program.

## **4. Extensions to the Field Training Program**

The Field Training Program is 50 working days (10-20 working days for experienced officers) at a minimum. If a probationary officer's performance is less than satisfactory in any category during the last 15 days of the program (5 days for experienced officers), it may be extended.

If the Field Training Program is extended, the probationary period may also be extended. The Field Training Supervisor will be responsible for completing the Personnel Notification Form required for extension by MPTC.

FTOs may request an extension of the Field Training Program after discussion with the Field Training Supervisor. If the probationary officer's deficiencies are significant, a memorandum shall be directed to the Chief of Police detailing these deficiencies and the recommended course of retraining. The Chief of Police shall approve this retraining in writing, a copy of which will be attached to the probationary officer's personnel file.

## **5. Remedial Training**

The Field Training Officer may provide remedial training during the Field Training Program. Examples of this include:

- ☐ Requiring the probationary officer to repeat tasks.
- ☐ Having the probationary officer observe the FTO performing certain tasks.
- ☐ Temporarily reducing the responsibilities of the probationary officer.

- ☐ Having the probationary officer provide verbal accounts of incidents.

Remedial training must address deficiencies displayed by the probationary officer. The Field Training file shall include a Remedial Training Plan. This Plan shall be used to document all remedial training. It shall be completed, in addition to the daily evaluation, and forwarded to the Field Training Supervisor.

If the probationary officer does not perform satisfactorily during or after any re-training, they will be terminated.

If a determination to terminate the probationary officer is made, their police powers shall be suspended pending termination.

#### **6. FTO Selection Process**

Candidates for the position of Field Training Officer must:

- ☐ Have at least two years of experience with the Department or a waiver from the Chief of Police.
- ☐ Be willing to perform the FTO function.
- ☐ Have an exemplary work history.

Selection to attend Field Training Officer School as mandated by the MPCTC shall be based on the recommendation of the Field Training Supervisor; the officer's training history; and their performance in the oral interview.

Final selection of Field Training Officers shall be based upon each officer's performance in the Field Training Officer School.

If an officer is the subject of an open or pending investigation for force or serious misconduct, he or she shall be suspended from eligibility as a Field Training Officer until the matter is resolved.

The following shall disqualify an officer from serving as an FTO:

- ☐ Criminal misconduct investigations with sustained or non-sustained charges.
- ☐ Sustained Use of Force violations.
- ☐ Investigations concerning questionable

conduct pertaining to character, ethics, or morality with sustained or non-sustained charges.

- ☐ Patterns of conduct or job performance that reflect negatively on the Department. Examples include multiple sustained Failures to Appear, Departmental Accidents, or multiple allegations of force or language violations.

#### **7. FTO Training**

FTO candidates shall successfully complete an MPCTC certified police academy. FTO debriefings are educational and considered training and shall be attended by field training officers when the debriefings are announced.

#### **8. FTO Certification**

- ☐ FTO's must be certified by the MPCTC.
- ☐ Any application for certification must be submitted to MPCTC no less than 20 days prior to start of any field training.

#### **9. Incentives for Field Training Officers**

While training a probationary officer, FTOs shall receive:

- ☐ Forty hours of compensatory leave for 25 days training period (prorated if necessary).
- ☐ Preferential consideration for training that enhances their performance as a FTO.
- ☐ A FTO pin for display on their uniform.

#### **10. Retention of Field Training Officers in the Field Training Program**

To remain in the Field Training Program, FTOs must:

- ☐ Attend a minimum of 7 hours of FTO in-service or refresher courses every three years from completion of an initial FTO course.
- ☐ Receive acceptable evaluations based on their performance as both a patrol officer and FTO.
- ☐ Complete the required Field Training Officer evaluations.

The FTO's performance, both as a patrol officer and a FTO, shall be reviewed prior to each new



training assignment.

### **11. Removal of Field Training Officers from the Field Training Program**

The Field Training Supervisor may remove FTOs from the Field Training Program if the officer:

- ☐ Requests removal in writing.
- ☐ Is the subject of an active or sustained internal investigation
- ☐ Receives unacceptable performance evaluations based on their duties as either a patrol officer or an FTO.
- ☐ Fails to attend a required FTO in-service or a refresher course.
- ☐ Fails FTO re-certification.

### **12. Field Training Officer's Responsibilities**

The Field Training Officer has two primary roles:

- ☐ A police officer with full patrol responsibilities, and
- ☐ A trainer, coach, and role model to the probationary officer.

The Field Training Officer must:

- ☐ Complete daily evaluations of the probationary officer.
- ☐ Provide the probationary officer with continual feedback and evaluation throughout each day.
- ☐ Once every five days, forward all evaluations to the Field Training Supervisor.

### **13. Field Training Supervisor's Responsibilities**

The Field Training Supervisor is responsible for supervising both the Field Training Officer and the probationary officer during the Field Training Program to ensure that all requirements are being met.

The Field Training Supervisor shall complete a weekly review of the probationary officer's Field Training File. They shall ensure it is up to date and properly completed.

The Field Training Supervisor is also responsible

for evaluating the probationary officer on a monthly basis.

The probationary officer shall ride with the Field Training Supervisor for one day during the last 10 days of field training. The Field Training Supervisor shall document this on the FTO's daily evaluation form and report these findings directly to the Chief of Police.

The Field Training Supervisor is responsible for formal recommendations to release, retrain, remediate, or terminate the probationary officer. The Field Training Supervisor shall review all performance evaluations for completeness and accuracy and forward them to the Chief of Police.

### **14. Required Documentation**

FTOs shall provide feedback and informal evaluations to the probationary officer throughout each shift. They are required to complete a written evaluation daily. Once every five days, a written evaluation must be forwarded through the chain of command to the Chief of Police for review and concurrence at each level.

## **VI. GOVERNING LEGISLATION & REFERENCE**

### **Governing Legislation:**

### **Reference:**

Cheverly Field Training Program & Manual

**FISCAL & ASSET MANAGEMENT****I. POLICY**

It is incumbent upon all members of the Department to conserve and protect all funds, assets, and resources over which they have control. As integral parts of the Department's fiscal and asset management system, periodic audits and inventories ensure accountability and efficiency.

Employees representing the Department in business transactions with outside business organizations or private vendors shall conduct themselves in a way reflecting favorably on them and the Department. Acceptance of gratuities or benefits is prohibited.

Departmental resources will not be committed to furthering the work of a prospective contractor or vendor before the formation of an agreement approved by the Chief of Police.

**II. CHECKLIST (N/A)****III. DEFINITIONS**

**Petty Cash Funds:** Funds maintained by the Chief of Police or designee for small, authorized purchases or reimbursements not generally exceeding \$50.00.

**IV. FORMS**

- ☐ Petty Cash Voucher
- ☐ Request for Check Form
- ☐ Physical Inventory, Fixed Assets

**V. PROCEDURES****1. Fines, Penalties, and Receipts**

During the course of regular business, the Department takes in cash, checks, and money orders as payments for a wide variety of criminal, civil, and administrative penalties and costs.

**The Photo Enforcement Unit (PEU) handles:**

- ☐ Red Light Camera Citations
- ☐ Speed Camera Citations
- ☐ Parking Tickets
- ☐ Code Enforcement Municipal Infractions

- ☐ Residential Zone Parking Stickers

**The Police Clerk/Front Office handles:**

- ☐ Accident Report copies
- ☐ Incident Report copies
- ☐ Vehicle Impound releases
- ☐ Miscellaneous Sales, i.e., "The Club"

**The Administrative Assistant handles:**

- ☐ Rental License Fees
- ☐ Yard Work Vendor Fees, etc.

***Payments That Arrive by Mail***

The Police Clerk will disseminate payments that arrive by U.S. Mail to the appropriate employee for processing. When applicable, a receipt shall be sent by mail, and these monies shall then be deposited in the secured receipt mailbox.

***Payments received in Person***

Generally, payments received in person are handled in the same fashion as that noted for arrival by mail.

Outside regular office hours, however, an employee working evening hours may accept payments for Impounded Vehicle Releases according to instructions posted in the front office, and immediately provide a receipt for said monies. The office copy of the receipt and the accepted payment should be immediately deposited in the secured receipt mailbox.

For any other after-hours payments, if the accepting employee cannot obtain sufficient information about the payment the customer should be directed to contact the department during regular office hours.

***Red Light and Speed Camera Violations***

Only personnel specifically authorized by the Photo Enforcement Unit (PEU) can accept payments for Red Light & Speed Camera Citations, parking tickets, and municipal infractions. Access to these systems is limited by design, and only authorized personnel who have such access can determine the specific identifiers required for receipt purposes. This policy also includes the acceptance of payments for MVA



flagging costs and collection agency vendor costs. The PEU maintains a safe in their office for secure holding of monies for deposit.

### ***Donated Vehicles and Equipment***

The Department regularly seeks the donation of vehicles and useable equipment. The monies from the sale of these donations are then transferred to the Department's Forfeiture Fund, which is used at the discretion of the Chief of Police to purchase new equipment. All donations must be approved by the Chief prior to the Department's acceptance of any item or vehicle, and the office of the Chief will be responsible for supplying to the donor documentation acknowledging receipt and acceptance for tax purposes. In the case of donated vehicles, the sale, final disposition, and collection of monies for all donated vehicles shall be handled by the Public Works Director.

## **2. Petty Cash Funds**

### ***Secure Storage & Maintenance***

All petty cash accounts shall be securely maintained and controlled by the Chief of Police.

### ***Petty Cash Requests***

Generally, employees shall direct a memorandum to the Chief of Police requesting the expenditure of petty cash and the reason for such use. Upon approval from the Chief, the employee will receive the funds or be reimbursed upon submission of a receipt. The employee will sign the Petty Cash Voucher acknowledging receiving such funds.

In those cases where an expenditure is in excess of \$50.00, the employee shall fill out a Check Request Form and submit this form and a memorandum identifying the expenditure request to the Chief of Police. Upon approval, the Chief will obtain the check from the Town for the employee.

### ***Emergency Expenditures — Exception***

If an employee expends personal funds in an emergency and requests petty cash reimbursement, the Chief of Police will review the circumstances and make a decision as to whether the reimbursement is warranted.

The only exception to the above is for parking fees and tolls not otherwise covered by approved Departmental travel. A receipt for parking fees will be required for reimbursement from petty cash.

## **3. Asset Inventory**

The Department will conduct an annual inventory of all assets and document this inventory to the Town administration.

This inventory shall specifically include:

- ☐ All fixed assets (items having a value of \$1,000 or more).
- ☐ All Departmental vehicles and trailers, including siren and lighting equipment mounted on such vehicles that include an individual serial number.
- ☐ All Departmental firearms and CEW's.
- ☐ All Departmental communications equipment that contains an individual serial number.
- ☐ All equipment that contains a serial number and has a value of \$50.00 or more.
- ☐ All desks, chairs, and office furniture with a value of \$50.00 or more.
- ☐ Any item obtained through any grant funding with an individual serial number.

### ***Adding New Inventory Records***

Newly acquired equipment must be authorized by the Chief or his designee, and copies of invoices containing serial numbers, etc. shall be forwarded to the Chief or his Administrative Assistant for addition to the Inventory.

### ***Disposal of Inventory Items***

When an item of inventory is slated for disposal, information on equipment shall be forwarded to the Chief or his assistant requesting that the listed item(s) be disposed of. Any CPD or other law enforcement marking(s) shall be removed and the item transferred to Public Works for destruction. The inventory will be updated and the item will be listed as destroyed for one entire inventory cycle. At the end of that inventory cycle, the item shall be permanently removed from the Department's inventory.

## **4. Converting Property for Departmental Use**

***Inventory Acquired Through Property Section***

The Chief of Police shall determine the final disposition of all unclaimed or confiscated property. Property that may be serviceable to the Department may be transferred to such use and these items will then be added to the inventory, and a notation made on the inventory as to the source of the property. All related Property Records of the transferred items will be stored under the direction of the Chief of Police.

All unclaimed or court-forfeited monies shall be transferred to the Town Treasurer for inclusion in the Department's Asset Forfeiture Fund.

***Inventory Acquired From Sources Outside the Department***

Inventory items acquired from outside sources, either through donation or inter-agency transfer, shall be treated in the same manner as if the Department purchased same. All donations and/or transfers must be approved by the Chief of Police and documented on an Equipment Inventory.

**VI. GOVERNING LEGISLATION & REFERENCE****Governing Legislation:****Reference:**

**INTERNAL INVESTIGATIVE  
PROCEDURES****I. POLICY**

It is the policy of the Cheverly Police Department to ensure that all investigations arising from a complaint are conducted fairly and openly, in accordance with the provisions of the Law Enforcement Officers' Bill of Rights (LEOBR), and that the rights of the public are preserved.

An investigator's primary responsibility is to conduct investigations and, when necessary, recommend disciplinary action.

Pursuant to the authority delegated by the Chief of Police, any supervisor may order any employee to provide a statement in conjunction with an internal investigation. Refusal to obey such an order is insubordination.

Internal investigations shall be handled confidentially. Investigative information and evidence shall not be disclosed unless authorized by law or by the Chief of Police. Notwithstanding other provisions of the General Orders Manual (GOM), this does not preclude the established chain of command from reviewing such material.

**II. CHECKLIST (N/A)****III. DEFINITIONS**

**Investigation:** A detailed and systematic examination of the facts

**Investigative Findings:** All investigative conclusions shall be reported in one of the following classifications:

- ☐ **Exonerated:** The investigation found the alleged acts did occur, but they were justified, lawful, and proper.
- ☐ **Non-sustained:** The investigation did not discover sufficient evidence to prove or disprove the allegations.
- ☐ **Sustained:** The investigation found sufficient evidence to prove the allegations.
- ☐ **Unfounded:** The investigation found the alleged acts did not occur or did not involve Departmental employees.

**Non-contact assignment:** Any assignment in which an officer has minimal contact with the public and where the probability of performing law enforcement duties is remote.

**Offenses** are classified as either:

- ☐ **Conduct-Related:** Violation or failure to comply with a duty, obligation, or requirement imposing a standard of behavior on an employee by any law or regulation, provided the violation bears a demonstrable relationship to the nature of the duties and responsibilities of the employee's position and constitutes a willful, indifferent, or grossly negligent act or omission by such employee.
- ☐ **Performance-Related:** Occurs when an employee's performance is less than satisfactory in the execution of his or her duties, tasks, or responsibilities as listed in their job description.

**Respondent:** An employee who is the subject of an internal investigation.

**Suspension:** An administrative status in which any rights afforded an officer by privilege or statute, are removed until restored by the Chief of Police.

**Unreported Misconduct:** Acts of misconduct not alleged in the original complaint.

**Witness:** Anyone who was present, has personal knowledge of, observed, or heard something related to an incident.

**IV. FORMS**

- ☐ Commander's Information Report.
- ☐ Incident Report.
- ☐ CPD Duress Statement.
- ☐ CPD Report of Investigation.
- ☐ CPD Statement of Victim/Witness/Suspect .
- ☐ Use of Force Report.

**V. PROCEDURES**

All Departmental employees shall cooperate with those authorized to conduct administrative investigations by fully and truthfully answering



any questions pertaining to the investigation.

The Department explicitly prohibits any officer who used force during an incident, whose conduct led to the injury of a prisoner during an incident, or who authorized conduct that led to the injury of a prisoner during an incident, from investigating the incident.

### **1. Conducting Investigations**

Upon receipt of a complaint, a supervisor shall review the allegation(s) and:

- ☐ Determine the alleged infraction.
- ☐ Identify the complainant or victim.
- ☐ Identify the respondent.
- ☐ Gather relevant documentation.
- ☐ Submit a Request for IAD Case Numbers from the Chief of Police.
- ☐ Complete background checks of all involved.
- ☐ Interview all parties.

Upon completing all of the above tasks, the supervisor shall complete a Report of Investigation and forward it through the chain of command to the Chief of Police.

The complainant shall be kept informed about the status of the investigation. This includes an initial letter confirming receipt of the complaint, periodic status reports, and notification regarding the disposition of the investigation. Notifications of the disposition shall not be sent to the complainant or respondent until authorized by the Chief of Police.

### **2. Criminal Investigations**

The provisions of the LEOBR do not apply during the criminal phase of an investigation. If a criminal charge is contemplated or likely, the supervisor will advise the respondent of his or her Miranda Rights and proceed with the criminal investigation.

The supervisor shall conduct a separate, independent, internal investigation regarding violations of Departmental written directives after the criminal case has been adjudicated in court or the Office of the State's Attorney declines to prosecute.

### **3. Administrative Investigations**

#### ***Interrogation of Sworn Employees***

All interrogations shall be conducted under duress and in accordance with LEOBR. The Cheverly Police Department Duress Statement Form shall be used to order the respondent to provide a statement and answer questions related to the investigation.

Sworn officers and probationary officers alleged to have used excessive force may delay providing a statement for up to 5 days. If following the 5-day period a respondent refuses to provide a statement and answer questions the supervisor shall charge the respondent with insubordination.

Probationary sworn employees are not afforded the opportunity to delay the providing of a statement, unless the incident involves a use of force.

#### ***Interview of Sworn Employee Witnesses***

An employee identified as a witness shall be interviewed. The interview shall be documented on a Cheverly Police Department Statement of Victim/Witness/Suspect Form. If necessary, supervisors shall order witnesses to provide statements.

If, during an investigation, an employee originally identified as a respondent is determined to be a witness, the supervisor shall notify him or her within one working day.

#### ***Interrogation of Civilian Employees***

Any civilian employee identified as a witness shall be interviewed. The interview shall be documented on a Cheverly Police Department Statement of Victim/Witness/Suspect Form. If necessary, supervisors shall order civilian witnesses to provide statements.

### **4. Interagency Investigations**

Employees shall not submit to interviews or interrogations conducted by employees of other agencies, unless authorized by the Chief of Police. An exception would be if a timely response is needed to facilitate emergency actions by the other agency; in such cases, responses to general inquiries are authorized. An example would be a

supervisor from another agency asking about criminal charges filed against his or her subordinate by our Department.

## **5. Police-Involved Shootings & In-Custody Deaths** *(Courts & Judicial Proceedings Article, Sec. 10-401, et. seq.)*

### ***Actions for Any Discharge Scene***

Anytime a Cheverly police officer discharges a firearm, he or she shall immediately notify a supervisor. In addition to other appropriate notifications made by the supervisor, the Town Administrator should be notified as soon as practicable.

### ***Investigative Responsibility***

Any criminal act that precipitated the officer discharging his or her firearm, shall be investigated by the appropriate investigative unit that would normally be assigned to investigate that type of the incident. Non-contact and accidental firearms discharges will be handled by a CPD supervisor. All contact shootings and in-custody deaths will be investigated by the Prince George's County Police per the current Memorandum of Understanding (MOU).

### ***Documenting the Incident***

The responding patrol officers shall be responsible for the completion of all initial reports. A supervisor shall be responsible for completing a CIR for the incident.

CPD supervisors investigating non-contact or accidental discharges shall:

- ☐ Conduct interviews in accordance with the LEOBR.
- ☐ Obtain copies of reports and witness statements.
- ☐ Determine the leave status of involved officers and serve them documents placing them in that status pending disposition.
- ☐ Release all officers and witnesses.

The Chief of Police shall determine the officer's assignment pending disposition of the case.

### ***Intentional Discharges - Outside the Town or in***

### ***an Area of Exclusive Jurisdiction***

If an intentional discharge by a CPD officer occurs outside of the Town of Cheverly, or in an area of exclusive jurisdiction, the discharging officer shall immediately notify a CPD supervisor through Public Safety Communications as well as the primary law enforcement provider for that area.

The discharging officer shall comply with the following:

- ☐ Secure the scene for processing and identify witnesses.
- ☐ Secure the firearm when the incident is stabilized.
- ☐ Remain on scene until released by the investigating agency.
- ☐ Upon return to the Town, complete a Use of Force Report.

If requested by the investigating agency, the discharging officer shall surrender his or her weapon. If not seized by the investigating agency, a CPD supervisor shall seize the weapon.

A CPD supervisor shall respond to discharge scenes outside the corporate limits of the Town. He or she shall ensure the:

- ☐ Security or transport of vehicles and equipment.
- ☐ Identification of all officers who discharged firearms.
- ☐ Completion of a Report of Investigation.
- ☐ Discharging officers and other involved officers are provided transportation away from the scene.

The Chief of Police or designee will coordinate with the agency investigating the discharge of a firearm.

### ***Post-Shooting Requirements***

Any officer who discharges a firearm, accidentally or intentionally shall, within 72 hours of receiving the post-shooting letter from the Chief of Police, contact the following to schedule an appointment:

- ☐ A Town-approved Psychologist.
- ☐ A CPD firearms instructor to qualify with all

- ☐ authorized on-duty and off-duty firearms.
- ☐ Attendance at these appointments is mandatory and shall be completed within ten working days following the incident. Involved officers shall notify the Chief of Police of their completion of these appointments.

**6. Discharge of Firearms — Notifications Not Required**

Notification to a CPD supervisor is not required for a lawful firearms discharge unrelated to employment, such as target shooting or hunting.

**7. Police-Involved Incidents with Death, Serious Injury, or Hospital Admission**

***Supervisor's Duties***

Whenever any individual in CPD custody suffers a critical or fatal injury or illness, or is admitted to a medical care facility, the supervisor shall notify Public Safety Communications and request notification to a CPD supervisor. Supervisors shall:

- ☐ Ensure that the Chief of Police is immediately and personally notified.
- ☐ Determine the circumstances of the incident and severity of the injuries.
- ☐ Follow the dictates of the MOU with PGPD.
- ☐ Ensure completion of a CIR.

**8. Post-Shooting Statements**

A CPD supervisor, in the administrative phase of any post-shooting investigation, shall take or cause to be taken written statements from individuals who are involved in or who are witnesses to any intentional police-involved Departmental shooting, in-custody death, or incident where injury is inflicted and death is imminent

**9. Duty Status**

For information regarding duty status (i.e., Administrative Leave, Suspension of employees, Discretionary Suspension, Mandatory Suspension, Suspension Procedures, Suspension Hearings, and Restoration to Duty, *See: VOL. I, CH. 19. LEAVE & DUTY STATUS.*

**10. Red Light & Speed Camera Violations in a Departmental Vehicle**

Officers responding priority to an emergency may disregard traffic laws pursuant to Section 21-106 of the Maryland Transportation Article.

When any member of the Department receives a red light or speed camera citation, they shall forward it to the Chief of Police who shall initiate an investigation.

If this investigation determines that the violation was a result of a failure to obey a traffic control device, the employee shall have the option of paying the fine or contesting the matter in court. The supervisor shall impose appropriate disciplinary action in accordance with this G.O. and the Town Code. A first offense is treated as a Category 1 violation.

If the supervisor determines that the violation occurred during the proper use of police authority, the supervisor shall forward a memorandum containing facts that support his or her conclusion, along with a copy of the citation, through the chain of command to the Chief of Police. The Chief shall then notify the issuing jurisdiction that the citation should be voided.

**11. Lost, Damaged, or Stolen Equipment**

***Notifications & Investigations***

This subsection does not apply to Departmental accidents.

When Departmental equipment is lost, damaged, or stolen, the officer shall immediately submit an Incident Report to a supervisor.

The supervisor shall transmit the Incident Report to the Patrol Commander and, as appropriate:

- ☐ Send a Department-wide message containing descriptions, identification numbers, and markings of those items.
- ☐ Determine whether to conduct a formal investigation.
- ☐ Conclude whether employee negligence caused the loss, damage, or theft of the equipment.

The officer's supervisor shall determine whether



the loss, damage, or theft warrants a formal investigation; if so, the supervisor shall conduct the investigation. The investigation shall specify whether employee negligence caused the loss, damage, or theft and whether disciplinary action is warranted.

### ***Replacement of Equipment Items***

When the Patrol Commander accepts the investigating supervisor's conclusion that the employee was negligent for the damage, loss, or theft of an equipment item, the Patrol Commander shall determine if the employee should make restitution and submit that recommendation to the Chief of Police. The Chief of Police may order the employee to pay the repair or depreciated replacement cost of the item as appropriate. Restitution does not of itself constitute a disciplinary action.

When a supervisor finds an employee not at fault for the damage, loss, or theft of an equipment item or an item of uniform apparel damaged in the line of duty, the supervisor shall write a memorandum approving replacement to the Chief of Police and give a copy to the employee.

### ***Uniform & Equipment Replacement Pending Investigation***

Officers may immediately obtain replacement uniforms and equipment (other than radio equipment and firearms) from the Patrol Commander. If the Patrol Commander subsequently finds the officer negligent, the Patrol Commander shall determine if the employee should make restitution and submit that recommendation to the Chief of Police. The Chief may order the employee to pay the repair or depreciated replacement cost of the affected item as appropriate.

## **12. Investigative Reports**

The Report of Investigation (ROI) shall include:

- ☐ Day, date, time, and location of the incident.
- ☐ Complainant/reporting person, respondent, and any witnesses.
- ☐ Details of the complaint.
- ☐ Details of the respondent's statement.

- ☐ Steps taken to investigate the allegation.
- ☐ Summary of all evidence.
- ☐ A "Recommendations" page addressing each allegation.

All recommendations shall be classified as one of the following:

- ☐ Exonerated
- ☐ Non-sustained
- ☐ Sustained
- ☐ Unfounded

Investigations shall be completed within 30 days of assignment, although circumstances may justify an extension. Requests for extensions shall be made to the Chief of Police.

Upon completion of the investigation and any hearings required by the LEOBR, the complainant shall be notified of the outcome of the investigation, including any disciplinary action taken, to the extent permitted by Maryland Law. Notification letters regarding disposition shall not be sent to the complainant or respondent until authorized by the Chief of Police or his designee.

## **VI. GOVERNING LEGISLATION & REFERENCE**

### **Governing Legislation:**

- ☐ Law Enforcement Officers Bill of Rights, Maryland Code, Sections 3-101 — 3-113

## LEAVE & DUTY STATUS / OVERTIME COMPENSATION *(Town Code, Section 21-10)*

### I. POLICY

Compensation may be paid for authorized extensions of the workday. Any officer working secondary employment is not eligible to earn overtime compensation for incidents related to that employment to include court appearances.

In addition, employees are afforded various types of leave that they may take, in most cases, with prior supervisory approval. The administration of the Department's overtime compensation and leave program will be in accordance with the provisions of the Town Code.

In some cases, employees unable to perform their duties due to an injury or illness will be placed on an appropriate type of leave by a supervisor. In other cases, an employee will be placed on an appropriate type of leave when his or her actions or use of force results in serious physical injuries or death to another person.

### II. CHECKLIST (N/A)

### III. DEFINITIONS

**Absent Without Leave:** When the employee is absent without being in an authorized leave status. *See Town Code Personnel System, Section 21-14(f)10*

**Administrative Duty:** A restricted duty status that causes an employee to be placed in a non-contact assignment where there is a low probability of public interaction and performing law enforcement duties.

**Call-back:** When an off-duty employee is ordered to return to work and perform duties on behalf of the Department.

**Suspension:** An administrative status in which any rights afforded an officer by privilege or statute are removed until restored by the Chief of Police; can be with or without pay.

### IV. FORMS

- ☐ Attending Physician's Notification Form.

- ☐ Compensation & Leave Request Form.

### V. PROCEDURES

#### 1. Rate and Type of Overtime Compensation

Officers and civilians earn either overtime pay or compensatory time for hours worked beyond their regular schedule. Increments of less than ½ hour are only compensable with compensatory time.

Overtime is calculated at 1½ times the employee's hourly rate for the actual time worked in not less than ½ hour increments.

Compensatory time is credited at the rate of 1½ times the minutes worked. Compensatory time is earned when the total hours worked during one pay period exceeds 80 hours. The total number of hours worked is calculated by adding the number of hours actually worked to the number of hours of paid leave.

#### 2. Annual or Vacation Leave

*(Town Code Section 21-10 e.)*

All full-time employees earn annual leave as follows:

| Years of Service | Hrs Earned per Month |
|------------------|----------------------|
| 0-4              | 8                    |
| 4-10             | 12                   |
| 10-15            | 16                   |
| 15+              | 18                   |

Part-time employees leave rate is pro-rated according to usual work hours per week.

#### *Maximum Accumulation*

The maximum carryover of annual leave from one calendar year to the next is 240 hours. At the end of each calendar year, annual leave hours that exceed the maximum shall be reduced to the maximum.

#### *Use & Approval*

Employees must be employed for the Town for at least 6 months before they are eligible to receive compensation for Annual Leave. Employees may use annual leave in not less than ½-hour

increments.

A supervisor must approve annual leave in advance. Approval will be based on staffing and employee commitments, such as training, court, or length of leave period requested. No more than 80 hours of combined annual leave and/or compensatory leave will be granted in any 30 day period without a detailed request and approval from the Chief of Police.

Annual leave requests for five or more days shall be submitted to the employee's supervisor at least 14 days in advance of the leave period. Employees shall submit leave requests for less than five days as soon as possible and reasonable to the time of use. Supervisors shall promptly respond to an employee's leave request.

Annual & Compensatory Leave management is the responsibility of the individual employee. Employees have all year to use accrued leave and are provided with a balance of their leave every pay period. Leave will NOT be granted near the end of the year simply because an employee exceeds the maximum carryover for the year & must "use or lose" leave.

### ***Annual Leave Payout Upon Separation***

Upon separation, a departing employee shall be paid the unused portion of earned annual/vacation leave that does not exceed the 240 hour maximum limit, except that the employee shall not be entitled to receive payment for such leave unless employed for a period of six months or more.

### **3. Sick Leave**

*(Town Code Section 21-10.f.)*

Full-time employees earn 8 hours of sick leave per month of service. Sick leave may be accumulated without limit. Unused sick leave in a leave year is carried over and maintained in the employee's sick leave account. There is no payout for unused sick leave. Upon retirement unused sick leave hours are accounted for in the employee's Maryland State Retirement Pension Plan. Employees may use sick leave in not less than ½-hour increments.

#### ***Uses***

An employee may use earned sick leave for the

following:

- ☐ Personal Illness / health care appointments.
- ☐ Family Illness—Not to exceed five (5) days in any one (1) year.
- ☐ Quarantine.

### ***Notification***

Employees on shift work shall notify their immediate supervisor of the need to use sick leave no later than 1½ hours prior to the start of their shift. The supervisor shall be responsible for documenting the employee's information on the appropriate leave request.

Employees working permanent schedules shall notify their immediate supervisor of the need to use sick leave at the time the office normally opens for business or within ½ hour of the time they are expected to report to duty.

An employee must make verbal contact with a supervisor to obtain approval for sick leave.

### ***Certification of Illness***

Supervisors may require an employee to submit a physician's certification of illness or other documentation to support the employee's use of sick leave. Employees shall present the requested certification to a supervisor upon returning to duty.

### ***Denial of Sick Leave***

When the Chief of Police denies a sick leave request, time absent from work is charged to the employee's annual leave balance. If the annual leave balance is insufficient to cover the absence, the deficiency shall be charged as Leave Without Pay (LWOP).

### ***Employer-Mandated Sick Leave***

The Chief of Police may place an employee on sick leave whenever a medical opinion confirms that the employee's medical condition may seriously impair his or her ability to perform his or her duties or may jeopardize the health or safety of the employee or other persons.



### *Advanced Sick Leave*

In exceptional cases an employee with two or more years of service may be advanced twelve (12) days of unearned sick leave upon the recommendation of the Chief of Police to the Town Administrator.

#### **4. Disability Leave**

Time absent from the job for medical treatment on the date of injury or occupational disease shall be charged to administrative leave.

An employee may be placed on disability leave when they incur an illness, injury, disability, or medical condition that prevents them from performing the duties of their position. The Chief of Police, in consultation with the Town Administrator and the Injured Workers Compensation Fund (IWIF), determines an employee's eligibility for disability leave based on supporting medical documentation, provided that proper notifications of the injury or illness were made. The employee will initially be coded for sick leave on their time sheets and this leave shall be reimbursed by the Town Clerk upon settlement with IWIF.

If the injury or illness is subsequently determined not to be duty-related or does not require the employee to remain on disability leave, the employee shall be placed on sick leave, returned to full duty, or placed on light duty.

Disability leave is limited to the period specified in the Attending Physician's Notification Form. Disability leave may be granted for up to 30 calendar days based on an Attending Physician's Notification. Employees on disability leave shall submit an Attending Physician's Notification Form to the Chief of Police at least every 30 calendar days in order to be eligible for additional disability leave.

#### **5. Bereavement Leave** (Town Code Section 21-10 (f)(2)d.)

In the event of the death in the immediate family of an employee (spouse, child, parent, brother, sister, grandparent, stepparent, stepchild), the employee shall be granted three (3) days leave of absence with pay to attend to household

adjustments or to attend funeral services. Death Leave is not to be charged to Annual or Sick Leave.

#### **6. Holiday Leave** (Town Code Section 21-10(h).)

Employees, both sworn and civilian are eligible for holiday leave with pay on Town holidays as established by the Personnel System of the Town Code. Employees that must work on a holiday shall be compensated in accordance with the Town Code.

#### **7. Compensatory Leave**

Once earned, employees shall be permitted to use compensatory leave within a reasonable amount of time. Employees shall maintain no more than 60 hours of compensatory leave at any time without permission of the Chief of Police. An employee who has 240 hours or more of annual leave may not accumulate any compensatory leave time.

#### **8. Official Leave** (Town Code Section 21-10(b))

The Chief of Police may grant official leave, with the approval of the Town Administrator for the following:

- ☐ To attend professional meetings, technical conferences, or short-term educational courses directly related to an employee's duties.
- ☐ Pending the Chief of Police's decision when an AHB has recommended termination.
- ☐ To undergo a medical examination ordered by the Chief of Police.

#### **9. Jury Duty Leave** (Town Code Section 21-10 (c))

An employee called for jury duty shall be paid the difference between payments received as a juror and the employee's regular compensation. Jury Notice stamped with days served must be submitted to receive compensation.

#### **10. Military Leave** (Town Code Section 21-10(d))

Employees who are members of any unit of the

United States Military Reserve or National Guard and are required to engage in training exercises shall be granted up to 15 days (120 hours) of paid military leave per leave year.

**11. Leave Without Pay [Leave of Absence]**  
*(Town Code Section 21-10(a))*

The Chief of Police, with the consent of the Town Administrator, may grant requests for a leave of absence (LWOP) for periods not to exceed one year, when such absence is for a valid purpose and when it appears that reinstatement of the employee would be in the best interests of the Department. No employee shall accrue annual/vacation or sick leave while on LWOP.

**12. Administrative Leave**  
*(Town Code Section 21-10(i))*

Upon request the Town Administrator may grant administrative leave with or without pay to an employee, provided the employee has exhausted all sick and annual leave and demonstrates unusual or extraordinary circumstances causing absence from work.

**12. Employees on Light Duty**

An employee with a temporary impairment may be detailed to duties within his or her capacity to perform, pursuant to his or her physician's decision or the recommendation of the Chief of Police. Work restrictions and the classes of work that the employee may safely pursue must be specified.

Light duty assignments are limited to the period specified in an Attending Physician's Notification Form, which cannot exceed 30 calendar days per form. The employee's physician must complete additional Attending Physician's Notification Forms to extend his or her light duty assignment.

Light duty assignments will be based upon:

- ☐ The needs of the Police Department.
- ☐ The medical information provided by the attending physician and medical records.
- ☐ The qualifications of the light duty employee.

**14. Change in Duty Status for 'No Duty' or 'Light Duty'**

No duty employees shall remain in a no duty status until returned to light duty or full-duty by their physician or ordered back to light duty or full-duty by the Chief of Police or his designee.

Light duty employees shall remain in a light duty status until returned to full-duty by their physician or ordered back to full-duty by the Chief of Police or his designee.

Employees whose duty status has been changed by their physician shall immediately report this change to the Chief of Police and submit a current Attending Physician's Notification Form.

**15. Assignment of Workers' Compensation Benefits**

Employees shall assign to the Town such non-medical benefits as awarded for the temporary disability by the Maryland Workers' Compensation Commission.

**16. Suspension — Sworn Officers**

Officers ranking sergeant or above are authorized to suspend any employee subordinate. Suspended officers remain on pay status pending the decision of the Suspension Hearing Officer.

A suspended officer shall not:

- ☐ Make arrests or enforce any law.
- ☐ Possess a Departmental vehicle.
- ☐ Possess an authorized firearm in any manner not afforded a citizen.
- ☐ Possess a Departmental weapon.
- ☐ Represent himself or herself as an active duty police officer.
- ☐ Wear any Departmental uniform, uniform article, or display police identification

***Discretionary Suspension***

An officer may be suspended for:

- ☐ Offenses in VOL. I, CH. 9. DISCIPLINE, section 3. Limitations of Authority to suspend.

- ☐ On or off-duty conduct determined to be detrimental to the proper performance of required duties
- ☐ Reporting to work intoxicated.
- ☐ Exhibiting or reporting serious or debilitating psychological problems preventing the employee from satisfactorily executing job tasks.
- ☐ Reporting to duty unfit or unprepared for work.
- ☐ The best interest of the public, officer, or Department.

The propriety of such suspension shall be determined by weighing the gravity of the situation against the effect of the officer's continued duty status pending an internal investigation or personnel action.

### ***Mandatory Suspension***

An officer shall be suspended when:

- ☐ He or she is charged via statement of charges, criminal charging document, indictment, or criminal information from any competent judicial authority with:
  - Any crime classified as a felony within this state.
  - Any felony in a foreign jurisdiction.
  - Crime of moral turpitude.
- ☐ He or she is alleged to have been engaged in conduct of such nature that the Chief of Police determines suspension is an appropriate course.

### ***Suspending Officer's Responsibilities***

The suspending officer shall:

- ☐ Contact the Chief of Police.
- ☐ Give the suspended officer a letter containing the following:
  - Reason(s) for the suspension.
  - Date and time of the suspension hearing which shall be the first working day following the suspension.
- ☐ Obtain all Departmental property in the officer's possession.

### ***Suspension Hearing***

The suspension hearing is not a judicial proceeding nor is it directed to the findings of fact or law. It is limited to a presentation of circumstances surrounding the suspension, and only matters dealing directly with the determination of the suspension shall be heard. The hearing officer is the final authority regarding testimony to be heard and may request the assistance of the Town legal counsel.

When the hearing officer determines that the acts allegedly committed by the suspended officer warrant continued suspension, he or she shall so order. If not, he or she shall terminate the suspension.

Suspended officers may be represented by counsel or another representative at the suspension hearing. Suspension hearings shall be tape-recorded.

When criminal or administrative charges are likely to be placed against the officer, he or she may be suspended with pay by the hearing officer. If the officer has been charged with a felony, he or she may be suspended without pay.

The suspension hearing officer shall ordinarily be the Patrol Commander or a designee the rank of Lieutenant or above as appointed by the Chief of Police. The hearing officer shall advise the suspended officer of his or her decision following the hearing, and promptly submit a report of that decision to the Chief of Police, with copies to:

- ☐ Town Administrator
- ☐ Respondent

The following shall attend the hearing:

- ☐ The suspended officer

Counsel for the suspended officer may attend the suspension hearing.

The suspended officer may present testimony at his or her suspension hearing.

Suspension hearings are closed proceedings. Except those listed, members of the Department, the public, and the news media are excluded from the hearing unless called to testify. Evidence



presented at the hearing is confidential.

### ***Restoration to Duty***

The Chief of Police may return an officer to duty when the reason for the suspension no longer exists.

## **17. Suspension — Civilian Employees**

A civilian employee may be immediately suspended when he or she is intoxicated or commits a breach of the peace during work hours, provided:

- ☐ The facts are not in dispute.
- ☐ No further investigation is needed.

This suspension is a final conduct related disciplinary action. The suspending officer shall complete a ROI.

For serious offenses where the employee must be removed from the job for misconduct, a supervisor shall be notified.

If the employee is charged with a serious crime, the Chief of Police shall determine whether administrative leave shall be employed or the employee suspended without pay pending the outcome or conclusion of an investigation or criminal trial.

The Chief of Police may return the employee to full duty when the reason for the suspension no longer exists.

Upon conclusion of an investigation or a criminal trial, the Chief of Police shall consider recommendations and take appropriate disciplinary action.

## **18. Duty Status — Certain Investigations**

### ***Administrative Leave***

Officers involved in the following incidents may be placed on administrative leave by the Patrol Commander pending an investigation:

- ☐ Discharge of firearms resulting in injury or death.

- ☐ Actions that result in the death of a citizen or the hospitalization of a citizen who is expected to die.
- ☐ Incidents where preliminary investigation reveals serious employee misconduct.

While on administrative leave, employees shall notify the Patrol Commander of how they may be contacted during normal business hours.

### ***Administrative Duty***

Officers on administrative duty, when assigned or summonsed, shall:

- ☐ Attend job-related training and participate as instructed.
- ☐ Attend court.
- ☐ As ordered, perform administrative functions not requiring personal contact with the public.

They may take appropriate police actions in emergencies.

Administrative duty may be employed as an alternative to other types of leave to enable an employee to continue working while awaiting the disposition of an internal or criminal investigation, or disciplinary action recommendation sent to the Chief of Police.

Officers on administrative duty are prohibited from working secondary employment or Departmentally-sanctioned overtime assignments.

### ***Recommendation for Termination***

If an AHB recommends that an employee be terminated, his or her police powers shall be suspended and he or she shall be placed on administrative leave. A supervisor shall recover all equipment listed earlier in this Order.

All letters of termination shall be prepared and served by the Patrol Commander at the direction of the Chief of Police.

## **19. Employee Work Status During Weather-Related Emergencies**

All Departmental personnel are essential

employees. They shall report to work as scheduled during weather-related emergencies unless otherwise directed by supervisor. For additional information *See*: Vol. II, Ch. 55. WEATHER RELATED EMERGENCIES

## **20. Call-Back to Duty, Stand-by Status**

Employees shall be compensated when called back to duty from a stand-by status with a minimum of three hours overtime pay. Duty beyond this three hour minimum shall be in accordance with the Department's regular overtime pay policy.

### ***Requirements of Stand-By Status***

Employees on stand-by status shall:

- ☐ Be able to respond to the work site properly attired and in possession of necessary equipment.
- ☐ Not consume alcoholic beverages or medication that would prevent execution of their duties in the event a response is mandated.
- ☐ Not engage in any activity that would hinder their ability to provide a routine response to the work site within one hour after being notified.

## **VI. GOVERNING LEGISLATION AND REFERENCE**

### **Governing Legislation:**

- ☐ Town Code, Section 21
- ☐ Maryland Code 13-705 & 13-707

### **References:**

- ☐ Cheverly Employee Handbook; Section 2 Attendance & Leave