

TOWN OF NEWTON
LIGHT DUTY POLICY
(Amended on December 11, 2001)

Purpose: To establish policy concerning light duty in compliance with New Hampshire State Law.

Policy: It is the policy of the Town of Newton to require that employees perform light duty at the discretion of the Department Head in order to meet the needs of the Town.

A. DEFINITIONS

1. Light Duty is any assignment in which an employee is not required to perform all functions of their regular job or assignment, usually for medical reasons.
2. An employee may request or the Department Head may require light duty. In either case, employees shall provide medical documentation, as requested, to their Department Head and perform light duty as assigned.

B. LIGHT DUTY PROCEDURES

1. An employee's Department Head shall ensure that appropriate requests and documentation are submitted by the employee and make recommendations to the Board of Selectmen as to the suitability of the employee to perform light duty in accordance with the Town's needs.
2. The Department Head shall determine if a departmental need exists for a light duty assignment, which the employee is able to perform. If no departmental need exists for light duty then an employee's request shall be denied. Each request shall be reviewed on an individual basis; however, in all cases the needs of the Town will be the primary factor in determining whether light duty is appropriate. The Board of Selectmen shall notify the employee of the decision. The Town shall not be under an obligation to create or design a job or assignment specifically for such light duty.
3. If an employee is not assigned to perform light duty, the employee will be placed on sick leave, injury leave, or unpaid leave according to the rules and regulations of the Town.
4. Any appeal to any decision based on this policy shall follow the applicable avenues supplied under RSA 281-A.

C. LIGHT DUTY REQUIREMENTS

1. The employee shall present a physician's certificate stating that all criteria of the work can be performed; or only what portions of the job can be performed.
2. Provisions of a time table for return to full duty status.
3. After each subsequent office visit, the employee will bring updated information from the treating physician to the Department Head.
4. For any off-the-job injury or illness, the employee may request Light Duty by forwarding a written request to the Department Head providing the same information as required in on-the-job injuries. The Department Head, with the concurrence of the Board of Selectmen, will make a timely decision on whether such request can be approved.
5. Nothing in this policy suggests that Light Duty must be requested or assigned for off-the-job injuries or illnesses.

Light Duty Policy continued

6. Nothing in this policy prevents a position to be filled while an employee is out with an on-the-job injury. The Town will reinstate the employee into his/her former position upon request; or if the position has been eliminated, they will be reinstated into any other position that is vacant and suitable with reasonable accommodations for the employee's limitations.