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# GENERAL ORDER

## FAIRFAX COUNTY POLICE DEPARTMENT

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SUBJECT: REPORTING PERSONAL INJURIES	NUMBER:	330
CANCELS ORDER DATED: 7-1-10	DATE:	4-1-13

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### I. PURPOSE

This General Order establishes the procedures to ensure prompt and accurate reporting of any injury which may be covered under the provisions of the Virginia Workers' Compensation Act.

### II. POLICY

All employees are covered by the provisions of the Virginia Workers' Compensation Act. Employees must report any job-related injury or illness to a supervisor immediately. Supervisors are required to report any employee's job-related injury or illness in accordance with the procedures described in this General Order.

### III. PROCEDURES

#### A. Law Enforcement-Related Injuries

##### 1. Initial Reporting

- a. Department employees who sustain a personal injury during their normal tour of duty shall report the circumstances orally to their immediate supervisor. If the immediate supervisor is not available, the next level supervisor in the employee's chain of command shall be notified. Injuries sustained off duty shall be reported in accordance with Section C and D of this General Order.
- b. In instances where the nature of injury requires medical treatment, the supervisor shall ensure that the commander is immediately notified of the incident. If the commander is unavailable, the duty officer shall be notified.
- c. If high blood pressure is detected during a private physical examination, an appointment will be made as soon as possible with the Fairfax County Public Safety Occupational Health Center. This is to establish a monitoring period at the

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end of which time a determination will be made as to the existence of a high blood pressure condition.

2. To report an on-duty or off-duty work related injury for purposes of Virginia Workmen's Compensation coverage, the supervisor shall report the injury online through the Risk Management Infoweb site, which can be linked through the Resources section of the BLUENet. If this system is not available, the telereporting system through Corvel Corporation is a toll-free telephone claims reporting system available 24-hours a day. The telephone number for this service is 866-252-4654.
3. The supervisor will confer with the affected employee in the completion of the online Employer's Accident Report (EAR) to ensure that the information is accurate and complete. The report must be completed no later than the end of the work day.
4. The Corvel Corporation sends the injured employee's information to the Virginia Workers' Compensation Commission, and mails the injured employee the forms required to file a claim. These forms contain a summary of the benefits the injured employee may be entitled to if the injury is determined to be compensable. A claim has not been filed until the employee has completed and returned these forms to the Virginia Workers' Compensation Commission.

NOTE: The injured employee should provide a copy of the completed claim to the Administrative Support Bureau for record keeping purposes. It is the responsibility of the injured employee to file a claim with the Virginia Workers' Compensation Commission within two years from (1) the date of the injury or (2) the date a doctor diagnoses an occupational disease.

5. The supervisor responsible for documentation and reporting an injury is required to provide the injured employee with the Approved Physician's Panel and a Medical Status Report (MSR) form, when applicable. These documents are also located on the Risk Management Infoweb page. The employee must submit a physician-completed MSR to their supervisor when medical treatment is obtained.

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6. The report form (a copy of the online report form) and any related Medical Status Report shall be faxed within 24 hours of the initial injury to the Administrative Support Bureau at 703-273-6231.
7. Emergency and follow-up medical treatment for law enforcement related injuries must be performed by one of the facilities or physicians approved by the Risk Management Division. The names of approved physicians and facilities are available online, at each district station, and through the PLC. The eligible list is updated annually by memorandum as changes occur. Employees must obtain prior approval from the Risk Management Division for treatment rendered by a facility or physician not listed or they will be personally liable for any payments due.
8. Personnel who receive medical bills for job-related injuries/illnesses shall forward the bills as soon as possible to the Administrative Support Bureau, who will forward the bills to the Corvel Corporation for payment. (Note: Bills received by an employee at home have NOT been sent to Corvel Corporation by the vendor.)

**B. Injury Leave Administration**

1. Employees who are injured while performing the duties of their position without fault or negligence on their part will immediately be placed on injury leave, if the injury prevents a return to duty.  
  
When possible, employees who have been injured, but are not totally disabled, will be placed in temporary assignments without loss of pay to perform duties that fall within the medical restrictions prescribed.
2. Commanders of employees who are on injury leave shall ensure that the Medical Status Report form reflects the injury leave data and the return to duty date signed by the attending physician.
3. Injury leave begins on the first day of injury and shall expire not later than 12 calendar months from the original injury date. Re-injuries do not extend the period of eligibility for injury leave. Temporary, seasonal and exempt employees are not eligible to receive injury

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leave. When assigned to injury leave status, no other leave benefits will accrue.

Extensions of injury leave beyond 12 calendar months may be granted by the Chief of Police. In evaluating such requests, the following elements shall be considered:

- a. The circumstances in which the injury occurred, to include consideration of the nature and extent of the injury.
  - b. The nature and extent of treatment, providing that the employee has continued under the regular care of the authorized physician requiring an office visit at minimum intervals of at least once every three months; and providing that the medical records clearly substantiate a relationship between prescribed treatment and the original injury.
  - c. The likelihood of the employee's return to duty.
  - d. The employee's past injury, leave, and service record.
  - e. The employee's compliance with injury leave policies and requirements.
4. Employees on injury leave are specifically prohibited from engaging in activities that may impair their recovery. These include:
- a. Engaging in strenuous recreational or other physical activities without the approval of the authorized physicians.
  - b. Being employed or self-employed to perform work of any kind without the prior written approval of the authorized physician and the Human Resources Director.

C. Injuries – Non-Regular Employment

- 1. Employees injured during any form of non-regular employment, as defined in General Order 340, shall comply with all reporting requirements of this General Order.

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2. Absence from duty due to injury or illness incurred during any non-regular employment may necessitate the employee's use of sick, annual, or compensatory leave.
3. Employees engaging in general off-duty employment or self-employment are not covered under Fairfax County Workers' Compensation. Employees engaging in general off-duty employment are solely responsible for ensuring that the employer has sufficient workers' compensation and liability insurance coverage.
4. Injuries incurred during secondary law enforcement employment from causes other than the exercise of law enforcement powers may not be covered under Fairfax County Workers' Compensation. Commanders shall ensure appropriate coverage exists at all secondary employment sites prior to approving the Employer Permit Application, as outlined in General Order 340.
5. Workers' Compensation covered Injuries
  - a. Incidents in which an officer is injured during non-regular employment, while engaging in law enforcement or rescue activities as required or authorized by General Order 340. *Code of Virginia* § 65.2-102 provides that law enforcement officers engaged in such activities while not on duty shall be deemed to be acting in the course of their employment for workers compensation benefits. This includes use of injury leave.
  - b. Injuries incurred during Fairfax County school functions or any other employment approved by the Chief of Police or a designee, in which an agreement has been made to provide a specific number of employees who are compensated through the County payroll system.
  - c. Injuries which occur to employees working for nonprofit organizations that have been approved through the established permit process.
6. Commanders of restricted duty personnel may authorize limited Department-related overtime that does not involve the use of police

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powers. Such overtime shall be confined to administrative tasks related to the restricted duty assignment.

7. Employees who have contracted to provide secondary law enforcement employment services as part of a bartered housing contract shall notify the affected lease holder, as well as their commander, when then they are on a work status other than full duty. The affected lease holder may either charge full or prorated rent until the employee is capable of resuming contracted secondary employment.

D. Off-Duty Injuries - Not Law Enforcement Related

All Department employees, both sworn and civilian, shall report in writing to the Chief of Police the facts and circumstances of any personal injury sustained while off duty which may interfere with the performance of duty. Such report shall be made within 48 hours of the injury, or as soon as the employee is physically capable of doing so. If the off-duty injury renders the employee incapable of reporting to the next scheduled tour of duty, this shall be reported to the employee's immediate supervisor no later than the time scheduled for the beginning of the tour of duty. The employee, upon returning to duty, shall submit a "Medical Status Report" form indicating the employee's duty status and signed by the attending physician.

IV. LEGAL REFERENCE

*Code of Virginia, Title 65.2*

V. ACCREDITATION STANDARDS REFERENCE

VLEPSC  
PER.  
03.03

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This General Order becomes effective April 1, 2013 and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:

A handwritten signature in black ink, appearing to be 'H. A. P.', written over a horizontal line.

Chief of Police

APPROVED BY:

A handwritten signature in black ink, 'Edward L. Luff', written over a horizontal line.

County Executive