

	CITY of RICHMOND DEPARTMENT of FIRE and EMERGENCY SERVICES WORK SCHEDULE AND LEAVE	
BOOK ONE ADMINISTRATIVE	SUBJECT: PREGNANCY – ALTERNATIVE DUTY ASSIGNMENT	PPG # 146

I. PURPOSE

This procedure establishes guidelines relating to the safety of members of the Richmond Department of Fire and Emergency Services who become pregnant, their fellow employees, and the public.

II. POLICY

It is the policy of the Fire Department to provide equal employment opportunities to all members. At the same time, employment and assignment decisions will consider aspects of employment that may prove detrimental to the health, welfare, and safety of any member or the public.

III. BACKGROUND AND PERSPECTIVE

The primary determination of all duty assignments is safety. The critical nature of emergency incidents makes it essential that each member be able to perform the full range of their position's duties. Although it may be difficult to exactly determine the effects of various factors on the physical well-being of the pregnant member, the safety of co-workers and the public, it is reasonable that the department establish a mechanism for a members' assignment to a temporary Alternative Duty (AD) assignment, and/or create provisions and eligibility requirements for authorized leave. It is the employee's right to continue working when pregnant, as such, the determination as to when the member should be reassigned or go on leave will be based on medical advice and upon the members' ability to perform essential job duties. An employee must not be forced to go on AD or leave at an arbitrary point during a pregnancy. If a supervisor believes the employee is incapable of performing the duties of her position, a fitness-for-duty evaluation may be requested.

When a member of the department is diagnosed as pregnant, it is not mandatory, but advisable that the member informs their supervisor, such that they can then request/accept an AD assignment, as available.

IV. PROCEDURE

1. After receiving confirmation of pregnancy, as the employee deems it appropriate, notification shall be made to the immediate supervisor.
2. Upon receipt of such notification, the supervisor shall:

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- a. forward the notification through the chain of command to the office of the Fire Chief and
- b. review the options available (described below):
 - o Application for assignment to temporary alternative duty for a period of up to, but not exceeding **9** months. Award shall be based upon submission of written request, submission of all required medical certification statements, and availability of an assignment with duties consistent with medical or physical limitations.
 - o Use of any earned and available, Family and/or Medical Leave based on the Federal Family and Medical Leave Act (FMLA).
 - o Use of any accumulated vacation, sick or holiday leave.
 - o Application for Shared Leave Provision* (pursuant to Personnel Rules for The Classified Service 6.5. *NOTE: This leave is quite specific and narrow in eligibility requirements. As such, may not be applicable to uncomplicated pregnancy.*)
 - o Application for Leave of Absence without Pay (pursuant to Personnel Rules for The Classified Service 6.10).
3. The employee will be issued a medical evaluation of work status form which must be taken to the health care provider on the employee's initial visit. The employee must review the form with the health care provider and have it signed. The completed form must be returned to the employee's supervisor at the next work shift.
4. The supervisor will verify that the employee has been informed of all options, as applicable and specified above.
5. The employee will notify the supervisor of her intent with regard to which option(s) she intends to pursue and submit all required paperwork, **which shall include at a minimum a memorandum either requesting AD or specifying that AD is not requested at this time.**
6. Upon receipt of application for assignment to AD, the Fire Chief or his/her designee shall evaluate the availability of an AD with duties

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consistent with medical or physical limitations with the department and render a written decision on such availability.

7. AD assignments shall be Monday – Friday, 0800 – 1700 assignment. All pay, benefits and use of leave shall be used and credited based upon a 40/hr. workweek and creditable years of service.
8. The pregnant employee will continue to wear her official uniform until the uniform becomes uncomfortable. At that time the employee will be given guidelines for providing her own acceptable maternity clothing.
9. To the extent practical, the employee will notify her supervisor of her intent to request leave, including the type of leave, approximate dates and anticipated length of absence. All medical certification paperwork shall be recertified in accordance with the City of Richmond FMLA requirements.
10. In the event pregnancy terminates prematurely, the ongoing provision of AD shall be made available for a period of up to three months beyond the termination date. Similarly, following delivery, an ongoing provision for AD shall be made available for a period of up to three months immediately following delivery. At the end of this period, should the employee require additional time away from her regular assignment, the employee shall have the choice of utilizing: FMLA, use of accumulated vacation, sick or holiday time, the possibility of Shared Leave (pursuant with program regulation) or Leave of Absence without Pay.
11. After giving birth, or at the termination of the pregnancy, the member shall be returned to her previously held position upon approval from her personal physician and subsequent refresher education/training as appropriate and governed by PPG 173. Such verification of readiness to work shall be in writing. This verification shall be given to the designated Employee Health Coordinator who will schedule the employee for a fitness for duty physical, which shall precede her return to assignment.
12. If the employee has not yet attained tenured status at the time of alternative duty assignment (i.e., recruit or probationary sworn member), the employee is subject to retraining. This retraining may include repeat attendance (of part or all) of the next recruit academy or reorientation training as outlined in PPG 173.

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V. MEDICAL CONSIDERATIONS

The following information is excerpted from "Reproductive Hazards of Fire Fighting I and II," Melissa McDiarmid, M.D., et al., American Journal of Industrial Medicine, 1991.

Medical Considerations of Firefighter Pregnancies

The job of firefighting presents many potential hazards to healthy reproduction. It poses physical hazards such as drastic temperature variations, extreme and unpredictable physical exertions demands, and psychological stress. Firefighters may also be exposed to biological or radiation hazards. The fire environment may also produce a wide range of chemical agents, including irritant and asphyxiate gases and other toxins.

Human reproductive health, as it is affected by the work environment, is a relatively new area of study. The clearest connection between an environmental agent and adverse reproductive outcomes for both men and women is in the case of ionizing radiation, which is not a common hazard for most firefighters. Prolonged exposure to high ambient temperatures however may also have a detrimental effect on fertility and pregnancy. High heat exposure has been related to infertility in men and may be linked to neural defects in babies of exposed mothers.

Chemical agents in the fire environment are numerous and unpredictable. The toxic effects of fire smoke have been tentatively linked to a number of physical problems, including respiratory disease, coronary artery disease and malignancies. Many chemical agents in the fire environment may also adversely affect reproduction. Carbon monoxide, carbon dioxide, hydrogen cyanide, acrolein and other aldehydes, sulfur dioxide, hydrogen chloride, nitrogen dioxide, and benzene are commonly produced in fire environments. Research shows that all of these compounds may have detrimental effects on reproduction. Pregnant women and their fetuses are especially affected by carbon monoxide exposures.

Although much more study is needed, existing research suggests that both men and women are vulnerable to reproductive toxicity in the firefighting environment. In addition, the potential hazards to developing fetuses pose special concerns for pregnant firefighters.

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Physician’s Evaluation of Pregnant Firefighter

FIREFIGHTER completes and signs this statement:

I hereby grant Dr. _____, who is my attending physician for this pregnancy, permission to furnish the information requested below.

I am am not a member of the Hazardous Materials Response Team.

Firefighter’s signature: _____ Date

TO THE FIREFIGHTER: It is the policy of the Richmond Department of Fire and Emergency Services to encourage pregnant firefighters to continue their work as long as it is medically safe to do so. The Richmond Department of Fire and Emergency Services may provide you with temporary reassignment within the Fire Department to non-firefighting functions through the end of your pregnancy with no loss of base salary or benefits, when the physician attending the firefighter’s pregnancy determines that it is no longer medically safe for you to continue firefighting duties or you are no longer physically able to perform those duties. This evaluation must be completed by your attending physician for this pregnancy each time you visit your physician for pre-natal care, but no less frequently than monthly.

TO THE PHYSICIAN: Your patient is a firefighter. She works an average of 56 hours per week on 24-hour shifts. Here are examples of the work conditions typically encountered in firefighting work:

- An opportunity for (but no guarantee of) up to eight hours’ sleep during night-time on duty standby for alarms, with arousal from sleep and response expected within one and one-half minutes.
- Extremes of heat and cold (depending on the season and the nature of the emergency)
- Physical and emotional stress while working at fires, rescues and medical emergencies
- Physical demands during emergencies that include crawling, climbing, reaching, pulling, pushing, lifting, bending, carrying, and that involved weights in the 50-pound range frequently and the 100-pound range occasionally

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- A “protective equipment load” in fire emergencies of approximately 50 pounds (boots, turnout coat and bunker pants, helmet, gloves, protective hood and other safety equipment, including self-contained breathing apparatus worn on the firefighter’s back and weighing approximately 35 pounds).
- Work in the presence of smoke, toxic fumes and other hazardous materials while wearing protective breathing equipment and firefighter protective clothing. [Special note: If this firefighter is a member of the Richmond Department of Fire and Emergency Services Hazardous Materials Response Team, she may respond more frequently to hazardous materials emergencies; on such calls, she is protected when required by “moon suit” type full-body encapsulating suits with independent air supply.

It is the policy of the Richmond Department of Fire and Emergency Services to encourage pregnant firefighters to continue their work as long as it is medically safe to do so. When it is no longer medically safe for a pregnant firefighter to continue firefighting work, the Richmond Department of Fire and Emergency Services has a variety of options available, which may include a temporary alternative duty assignment as available.

Please evaluate this pregnant firefighter and determine whether, as of the time of this evaluation, it is medically safe for her to continue firefighting work. Note that, as of the time of the initiation of this pregnancy, this firefighter was otherwise considered to be in appropriate physical condition (physically able) to do firefighting work.

Physician will check the appropriate statement and sign the form at the bottom where indicated.

It is medically safe for this pregnant firefighter to continue firefighting work. I will review this finding at the firefighter’s next medical examination on _____ (date).

It is not medically safe for this pregnant firefighter to continue firefighting work. I recommend reassignment of this firefighter to temporary non-firefighting work to the end of this pregnancy, subject to the following physical limitations:

Attending physician’s signature _____ Date _____