

## **FAMILY AND MEDICAL LEAVES: MENTAL HEALTH LEAVE FOR PEACE OFFICERS**

### **SECTION ONE: PURPOSE**

- 1.01 The purpose of this regulation is to provide guidance regarding the administration of Mental Health Leave for Peace Officers within the College District.

### **SECTION TWO: APPLICABILITY**

- 2.01 As required by SB 1359, Angelina College provides upon request Mental Health Leave for all College District peace officers involved in a work-related traumatic event.

### **SECTION THREE: DEFINITIONS**

- 3.01 "Traumatic Event" means an event which occurs in the peace officer's scope of employment when the peace officer is involved in the response to, or investigation of, an event that causes the peace officer to experience unusually strong emotional reactions or feelings which have the potential to interfere with their ability to function during or after the incident.

Traumatic events which occur in the peace officer's scope of employment may include, but are not limited to, the following:

- a. Major disasters which may include response to weather-related events involving multiple casualties; explosions with multiple casualties; or search and recovery missions involving multiple casualties;
- b. Incidents involving multiple casualties, which may include shootings or traffic accidents;
- c. Line of duty death or suicide of a department member;
- d. Death of a child resulting from violence or neglect;
- e. Officer-involved shooting of a person.

"Mental Health Leave" means administrative leave with pay granted in response to a traumatic event that occurred in the scope of the peace officer's employment.

"Mental Health Professional" means a licensed social or mental health worker, counselor, psychotherapist, psychologist, or psychiatrist.

### **SECTION FOUR: GENERAL**

- 4.01 A College District peace officer directly involved in a traumatic event may request the use of mental health leave in writing directly to the Chief of Police or designee. Unless the Chief of Police can articulate specific, compelling reasons to deny granting the leave, approval by the Chief of Police shall be granted no later than 24- hours following

the submission of the request. Following the approval to grant leave, the request document(s) will be forwarded to Human Resources.

A supervisor or coworker who becomes aware of behavioral changes in a peace officer directly involved in a traumatic event should suggest to the peace officer that he or she seek mental health leave and the assistance of a mental health professional.

Any request for mental health leave shall be treated as strictly confidential by all parties involved and shall not be discussed or disclosed outside the officer's immediate chain of command and Human Resources, as necessary to facilitate the use of the leave. Any peace officer or supervisor who becomes aware of behavioral changes and suggests the peace officer seek mental health leave shall not discuss that matter with any third party. Any breach of this confidentiality shall be grounds for discipline up to and including termination.

Confidentiality may be waived by the peace officer seeking mental health leave. Confidentiality may be waived under circumstances which indicate the peace officer is a danger to self or others and department personnel must confer with mental health professionals.

## **SECTION FIVE: DURATION**

- 5.01** A peace officer directly involved in a traumatic event may request up to five (5) working days of mental health leave.

## **SECTION SIX: RESPONSIBILITIES SUPERVISOR/EMPLOYEE**

- 6.01** A College District peace officer directly involved in or impacted by a traumatic event may request the use of mental health leave in writing directly to the Chief of Police. Unless the Chief of Police can articulate specific compelling reasons to deny granting the leave, approval by the Chief of Police shall be granted no later than 24 hours following submission of the request.

The role of the Chief of Police following a request for mental health leave is to notify Human Resources. The Police Chief should keep continued communication with Human Resources in relation to the mental health leave. The Chief of Police or designee will immediately provide notification to Human Resources whenever the following occurs:

- A peace officer provides oral or written notification of their need for mental health leave related to a traumatic event.
- The Chief of Police or a member of the Department becomes aware that a peace officer may need assistance following a traumatic event.
- The Chief of Police should direct the employee to complete and submit Request for

Mental Health Leave or may do so on behalf of the peace officer when he or she is unable to complete the form.

- The Chief of Police is responsible for time entry and approval in the college's time card management system on behalf of the peace officer.

## **SECTION SEVEN: PROCEDURES**

- 7.01** When a peace officer has identified the need for mental health leave related to a traumatic event, the peace officer should promptly contact the Chief of Police by telephone or email.
- 7.02** The peace officer shall complete and submit a Request for Mental Health Leave and provide to the Chief of Police. The Chief of Police shall notify Human Resources.
- 7.03** The peace officer must give notice of their intent to return to duty before expiration of the Mental Health Leave. The peace officer ordinarily shall give 24-hour notice of his or her projected date of return.
- 7.04** The College District may require return to work certification by a treating healthcare provider to ensure the peace officer is capable of performing the essential functions of his or her job upon return. When applicable, failure to comply with the certification requirement may result in discipline up to and including termination.
- 7.05** A peace officer who is unable to return to work following mental health leave should contact the Chief of Police and Human Resources to discuss options under applicable Angelina College policies governing leave, FMLA, and accommodations. A peace officer is expected to be able to return to work by the end of their approved leave. A peace officer who is unable to do so should contact the Chief of Police and Human Resources.
- 7.06** If the peace officer is unable to return to work at the end of his or her mental health leave and has not been granted any additional leave, their employment ends as "unable to return from leave" effective the last day of the approved leave, unless a continuation of leave has been granted for other reasons.
- 7.07** A peace officer who fails to return to work as scheduled after mental health leave may be subject to termination of employment.
- 7.08** A peace officer who exceeds his or her leave without an approved extension of their leave approved under appropriate leave provisions, may be subject to termination of employment pursuant to the appropriate College District's Policy.

The Vice President of Business Affairs is responsible for reviewing and updating this regulation. Policy reviews are made in accordance with the Office of Institutional Effectiveness Policy Tracking document.