

**PREGNANCY - SWORN DEPARTMENT MEMBERS**

ISSUE DATE:	08 June 2023	EFFECTIVE DATE:	08 June 2023
RESCINDS:			
INDEX CATEGORY:	01 - Employee Rights and Responsibilities		
CALEA:	Law Enforcement Chapter 22		

I. PURPOSE

This directive:

- A. describes the process by which the Department provides pregnancy accommodations to sworn Department members.
- B. ensures that pregnant sworn Department members continue to work in an environment free from discrimination.
- C. introduces the use of the Application for a Special Accommodation Assignment ([CPD-62.149](#)).
- D. continues the use of the Certification of Eligibility for an Accommodation Due to Pregnancy ([CPD-62.476](#)).

II. POLICY

This policy:

- A. acknowledges that pregnancy is a temporary physical condition that may or may not affect a sworn Department member's ability to perform the usual duties of an assigned job.
- B. establishes procedures for accommodating pregnant sworn Department members when accommodations are needed, including the provision of temporary, alternative duty assignments when sworn Department members are unable to perform all essential job functions.

III. NOTIFICATION PROCEDURES

- A. Sworn Department members are encouraged to notify their unit commanding officers of pregnancy as soon as practicable. No sworn Department member will be required to disclose pregnancy, unless or until the member has reason to believe they cannot continue to safely perform the essential job functions of a current duty assignment.
- B. No unit commanding officer or supervisor will alter a pregnant sworn Department member's duty assignment at the time a pregnancy is disclosed, unless:
 - 1. the sworn Department member requests accommodation through the Office of Public Safety Administration Medical Section (OPSA-MS) as outlined in Item III-C of this directive.
 - 2. the sworn Department member's condition may pose a risk to officer or public safety.

NOTE:

In situations where there are concerns about officer or public safety, unit commanding officers or the appropriate supervisors will promptly contact the Office of Public Safety Administration Human Resources Division (OPSA-HR).

- C. Notifying the Office of Public Safety Administration Medical Section (OPSA-MS)

Upon confirmation of a pregnancy, sworn Department members can be granted a pregnancy special accommodation by contacting the OPSA-MS. To receive such an accommodation, members will:

1. report to the OPSA-MS with documentation of the pregnancy from the member's health care provider.
2. complete the Certification of Eligibility for an Accommodation Due to Pregnancy ([CPD-62.476](#)) and Application for a Special Accommodation Assignment ([CPD-62.149](#)).
3. be placed on "special accommodation" by the OPSA-MS.

NOTE: Probationary police officers (PPOs) placed on a pregnancy special accommodation will have their probationary status extended to maintain the eighteen month active duty probationary period.

IV. RESPONSIBILITIES

- A. Office of Public Safety Administration Medical Section (OPSA-MS) will:
 1. approve a pregnancy special accommodation, as appropriate, based upon a review of the submitted documentation of the pregnancy from the sworn Department member's health care provider and the completed Certification of Eligibility for an Accommodation Due to Pregnancy ([CPD-62.476](#)).
 2. notify the sworn Department member that a "special accommodation" has been granted and ensure the CLEAR Automated Medical System reflects the special accommodation status.
 3. notify the sworn Department member's unit of assignment using the work status section of the CLEAR system.
 4. notify the First Deputy Superintendent, or designee, for possible reassignment of the sworn Department member and forward the completed Application for a Special Accommodation Assignment ([CPD-62.149](#)).
- B. Unit commanding officers, after notification of a special accommodation request from the OPSA-MS, will:
 1. accommodate the pregnant Department member within the member's unit of assignment consistent with Item V of this directive; **OR**
 2. notify the First Deputy Superintendent, or designee, stating the reason that the pregnant member's unit of assignment is unable to accommodate the pregnant member at the unit level.
- C. First Deputy Superintendent, or designee, will:
 1. contact the sworn Department member's unit of assignment to verify if the unit can accommodate the member during pregnancy.
 2. review the sworn Department member's completed Application for Special Accommodation Assignment ([CPD-62.149](#)) and place the member in an appropriate new special accommodation assignment, if the member's unit of assignment is unable to accommodate the member for the duration of the pregnancy.
 3. consider any specific restrictions identified by the sworn Department member's health care provider.
 4. notify the sworn Department member of the new special accommodation assignment, if applicable.
 5. notify the OPSA-MS of the sworn Department member's new special accommodation assignment, if applicable.
 6. notify the Bureau of Patrol if the Department member with a new special accommodation assignment is a probationary police officer.
- D. Sworn Department members will:

1. notify the OPSA-MS of any changes or new requests for accommodation throughout their pregnancy.
2. follow the procedures consistent with the Department directive titled "[Sworn Medical Roll - Non Injury on Duty Status](#)" for any medical absences throughout their pregnancy.
3. contact the OPSA Human Resources Division at HRAdmin@chicagopolice.org if any conflicts arise during their pregnancy or post partum period.

V. PREGNANCY SPECIAL ACCOMMODATION ASSIGNMENTS

- A. Pregnancy special accommodation assignments may consist of, but are not limited to:
 1. clerical and administrative functions.
 2. report writing.
 3. operating a police radio.
 4. interviewing persons.
 5. specific or consistent watch hours as determined by the sworn Department member's health care provider.
- B. Pregnancy special accommodation assignments should avoid the following:
 1. physical tactics or training.
 2. firearms training.

NOTE: Pregnant sworn Department members are **not** required to complete annual firearms qualifications until they return to full duty after pregnancy.
 3. patrol duties.
 4. extensive exposure to automobile exhaust fumes.
 5. standing for more than 30-minute intervals.
 6. lifting more than 25 pounds.
 7. exposure to high concentrations of toxins, chemicals, infectious agents, or controlled substances.
 8. prisoner contact.
 9. any other activities as determined by the sworn Department member's health care provider.

NOTE: Any questions regarding the duties required of the sworn Department member's special accommodation assignment will be directed to OPSA-MS.

VI. LEAVE AFTER PREGNANCY

- A. Fraternal Order of Police (FOP), Lodge 7, Members
 1. FOP members will be granted time on the medical roll for six weeks following a vaginal birth and eight weeks following a cesarean birth beginning on the delivery date.
 2. If complications prohibit the FOP member from returning to duty or prohibit the member from returning to work in full duty status after the expiration of the six or eight weeks time on the medical roll, the member will follow the procedures outlined in Department directives titled "[Sworn Medical Roll - Non Injury on Duty Status](#)" and "[Sworn Limited Duty Program](#)."
- B. Sworn Members the Rank of Sergeant and Above Including Exempt-Level Members

1. Sworn members the rank of sergeant and above, including exempt-level members, are granted twelve weeks of paid parental leave beginning on the delivery date consistent with the Department directive titled "[Paid Parental Leave - Sworn Members the Rank of Sergeant and Above Including Exempt-Level Members](#)."
2. If complications prohibit the member of the rank of sergeant and above, including exempt-level members, from returning to duty at the expiration of their leave or prohibit the member from returning to work in full duty status, the member will follow the procedures outlined in Department directives titled "[Sworn Medical Roll - Non Injury on Duty Status](#)" and "[Sworn Limited Duty Program](#)."

VII. RETURNING TO DUTY AFTER PREGNANCY

- A. When a sworn Department member returns to duty after pregnancy, the member's unit commanding officer, or designee, will meet with the returning member and conduct a reintegration interview. This interview will include a discussion of the following topics:
 1. any missed Department in-service training in accordance with the Department directive titled "[In-Service Training](#)."
 2. missed annual firearms qualifications.
NOTE: Returning sworn Department members will complete any missed firearms qualification prior to being assigned to the field.
 3. the Department directive titled "[Lactation Accommodations](#)" and the associated Lactation Accommodation Request ([CPD-62.147](#)).
 4. any other unique circumstances of the particular member.
- B. When a sworn Department member returns to duty after pregnancy, the member will:
 1. obtain a Medical Services Section/Return to Duty Notice and be removed from the medical roll consistent with the Department directive titled "[Sworn Medical Roll - Non Injury on Duty Status](#)."
 2. request to meet with the member's unit commanding officer, or designee, immediately upon returning to duty.
 3. assist the unit commanding officer or immediate supervisor in identifying the member's individual needs, which may or may not include accommodations needed for lactation, such as reasonable break time and a private room for expressing milk, and limiting exposure to toxic levels of heavy metals or other chemicals, consistent with the Department directive titled "[Lactation Accommodations](#)."
 4. accomplish all reintegration tasks as directed by their unit commanding officer.

VIII. CONFIDENTIALITY

All Department members responsible for reviewing and analyzing requests for accommodation will maintain the confidentiality of all information obtained pursuant to the request, including but not limited to, any medical information obtained from the requesting Department member or any other source.

IX. CONFLICTS IN PREGNANCY ACCOMMODATIONS AND RETALIATION

- A. Department members not provided with reasonable pregnancy accommodations may report the incident to the Office of Public Safety Administration Human Resources Division at HRAdmin@chicagopolice.org or by following the processes outlined in the Department directive titled "[Equal Employment Opportunity Policy](#)."
- B. Any supervisor who first receives a complaint of a Department member not being provided with reasonable pregnancy accommodations or retaliation will follow the processes outlined in the Department directive titled "[Equal Employment Opportunity Policy](#)."

- C. Department members who believe that they were discriminated against in an employment-related decision on the basis of their pregnancy may file a contractual grievance in accordance with the Department directive titled "[Grievance Procedures](#)."

Authenticated by MWK

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Interim Superintendent of Police

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