




**WINCHESTER POLICE DEPARTMENT OPERATION ORDER**

**NOTE:** This policy is for internal use only and does not enlarge an employee’s civil liability in any way. It should not be construed as the creation of a higher standard of safety or case in an evidentiary sense, with respect to third party claims. Violation of this policy, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.

<b>Number</b> 2-67		<b>Effective Date</b> March 23, 2023	<b>Review Date</b> March 15, 2023	<b>Reviewing Division</b> Administration
<b>Subject</b> <b>PHYSICAL FITNESS</b>		<input type="checkbox"/> New Directive <input type="checkbox"/> Amends <input type="checkbox"/> Replaces <input checked="" type="checkbox"/> Revised		<b>This directive shall apply to personnel assigned to the following divisions:</b>  <input type="checkbox"/> All Personnel <input checked="" type="checkbox"/> Patrol Division <input checked="" type="checkbox"/> Administration Division <input checked="" type="checkbox"/> Investigation Division
<b>References</b> VLEPSC CALEA				
 <hr/> <b>Chief of Police or Designee</b>		<hr/> <b>March 23, 2023</b> <b>Date</b>		

**I. PURPOSE**

The purpose of this policy is to establish the Winchester Police Department Total Fitness Program. The program has been designed to provide reasonable assurance that each sworn officer is capable of performing the essential physical functions of the job of police officer, regardless of rank, position or assignment held by that officer. In addition, the Department is committed to improving the quality of the officer's fitness in order to produce an effective, productive, and efficient police department. It is the intent of the Total Fitness Program to integrate both fitness and health components to promote the total wellbeing/wellness of each officer. The goals of this program include:

1. Assess the officer's ability to perform essential physical functions;
2. Improve the officer's ability to perform essential physical functions;
3. Reduce cardiovascular risk factors;
4. Reduce job-related injuries;
5. Reduce absenteeism due to illness; and
6. Improve the officer's quality of life by the maintenance of sustained minimal fitness levels combined with related health education opportunities.

## II. POLICY

The Winchester Police Department recognizes its officers as an important asset and understands the importance of encouraging and assisting officers in attaining peak effectiveness in performing their responsibilities. The Department has established and will maintain a health and fitness program with mandatory participation by all full-time certified law enforcement officers.

In addition to assisting officers achieve personal wellness and fitness goals, the Department recognizes that a healthy police officer is more capable of performing the daily physical requirements that enhances their level of service to the community. These physical activities are identified as essential functions and are necessary to perform critical specific functions of the job. The performance of the most critical, essential job function may be infrequent, but the consequences of non-performance or improper performance can be staggering. The ability of each officer to perform the job function is directly correlated to levels of exercise, diet, stress management, and weight control.

## III. DEFINITIONS

### A. Absolute Standard

An absolute standard is the maximum time allotted for the physical fitness test as determined through the Department's 2022 law enforcement validation study, which must be attained by everyone regardless of age or gender for the person to be determined "fit for duty."

### B. Annual Fitness Assessment

The annual fitness assessment is a series of physical tasks in an obstacle course that are the underlying and predictive factor for one's ability to perform those essential functions.

### C. Contraindications

Contraindications are serious medical conditions whereby the risks of exercise usually outweigh the benefits. Exercise prescriptions for officers with any absolute or relative contraindications can only be completed by a physician.

### D. Essential Job Function

The position of police officer was created to perform the essential fundamental function of protecting society by the equitable enforcement of laws. A particular job function is essential if removing it would require an alteration of the position, because of the limited number of employees available among whom performance of that function can be distributed, or because of the highly specialized nature of the function. For all full-time sworn law enforcement officers of this Department, the essential functions include those outlined in policy and procedure.

E. Physical Fitness

The organic condition of the human body which enables an individual to utilize his or her body in activities requiring strength, muscular endurance, cardio-respiratory fitness, flexibility, coordination, agility, power, balance, and speed without undue experience of fatigue and exhaustion. It is the ability to apply energy and power to engage and succeed in both leisure and emergency situations.

F. Protocol

Strict adherence to a specific set of procedures as required in exercise, assessment, and prescription programs.

G. Qualified Employee with Disability

1. In compliance with the Civil Rights Act of 1991, physical fitness standards are the same for employees who hold the same job and have the same requirements.
2. This directive complies with all federal mandates. Section 106 of the Civil Rights Act of 1991 prohibits discriminatory use of test scores and states: "It shall be an unlawful practice for a respondent, in conjunction with the selection or referral of applicants or candidates for employment or promotion, to adjust the scores of, use different cutoff scores for, or otherwise alter the results of employment related tests on the basis of race, color, religion, sex or national color."
3. In compliance with the American Disabilities Act of 1992 (ADA), applicants, recruits, and incumbents are held to the same fitness standards. Persons who can perform the essential functions of a law enforcement officer, either with or without reasonable accommodation, cannot be denied employment simply because of a disability. On the other hand, the ADA does not guarantee employment for the disabled. If a person cannot perform the essential functions of the job, with or without reasonable accommodation, he or she can and will be denied employment. Once job relatedness is established and documented, then the fitness tests, standards and programs can discriminate against anybody. The tests and standards utilized in this fitness program do discriminate between those who can and cannot do the job regardless of age, gender, race, or handicap condition.

H. Total Fitness Program

For the purposes of this directive, the fitness program will consist of training for coordinators and instructors, physical fitness assessments, exercise prescriptions, and participant reassessments, as required.

I. Wellness

Wellness is the condition of the human organism, an evaluation of the body's health and disease status. Degrees of wellness vary from optimal health to ultimate death. Wellness embodies the theory of the whole individual, encompassing the physical, mental, spiritual, and social-emotional dimensions of life.

**IV. RESPONSIBILITIES**

A. Organizational Responsibilities

1. The Department will create a climate in which fitness is more than a job requirement, making physical fitness a valued characteristic of the Department's officers.
2. This general order serves as a manual and is directive in nature. It is in addition to, not a replacement for, all existing rules, regulations, policies, and procedures.
3. The Chief of Police or his/her designee will:
  - a. Maintain all records to evaluate the total fitness program's results and effectiveness by recording all releases, assessments, exercise prescriptions, goals, and related correspondence for each participant;
  - b. Ensure confidentiality of fitness records;
  - c. Ensure that all job descriptions include an accurate description of essential function requirements;
  - d. Maintain a staff of certified Fitness Instructors;
  - e. Review all results of the physical fitness assessments;
  - f. Maintain related fitness/health equipment and supplies as required to effectively operate the fitness program;
  - g. Conduct periodic evaluations of the Total Fitness Program; and
  - h. Evaluate the program annually, summarizing all program events, including number of screened/assessed, the tabulated results of the screening and assessments and remedial action required for non-compliance.

B. Program Coordinator Responsibilities

The Program Coordinator is appointed by the Chief of Police and is responsible for supervision of the fitness program, provides direct service functions, and supervises the Fitness Instructors. The Program Coordinator will:

1. Be responsible for securing and preparation of assessment locations;
2. Conduct physical assessments, with the assistance of Fitness Instructors;
3. Maintain all files and records involving medical releases and physical assessments. All medical related documentation shall be considered confidential medical information and shall be kept apart from general personnel files as a separate confidential medical record, available only through the office of the Chief of Police or his/her designee;
4. Be responsible for the monitoring of fitness assessments to ensure compliance with required protocols;
5. Assist in the selection and training of designated Fitness Instructors;
6. Provide Fitness Instructors with documented results of the medical screening and physical fitness assessments, so exercise prescriptions can be developed;
7. Identify and recommend equipment and supply needs in order to complete medical screening, physical fitness assessments and training requirements;
8. Be responsible for the maintenance and care of equipment utilized for the fitness program;
9. Provide assistance, as requested, to the Fitness Instructors; and
10. Maintain a fitness level meeting absolute standards, as required.

C. Fitness Instructor Responsibilities

Fitness Instructors assist the Program Coordinator in the administration of the fitness program and provide direct service functions as required. Fitness Instructors will:

1. Assist the Program Coordinator in conducting physical assessments.
2. Assist the Program Coordinator in the recording, tabulation, and documentation of information gathered from medical screenings and physical assessments;
3. Assist in the monitoring of fitness assessments to ensure compliance with established protocols;

4. Provide any other assistance as requested by the Program Coordinator; and
5. Maintain a fitness level meeting all absolute standards, as required.

D. Individual Officer Responsibilities

1. It is the responsibility of each participating sworn officer, regardless of rank; to have knowledge and comply with all the rules, regulations, and procedures contained herein.
2. Every full-time sworn officer, regardless of rank or assignment, is responsible for attaining and maintaining a level of physical fitness adequate for performing all essential functions as required of police officers employed by the Department.
3. Officers will participate and complete the annual physical fitness assessment each year, as outlined in this directive.

V. **GENERAL PROCEDURES**

A. Program Components

1. Screening for Safe Participation – All full-time sworn personnel will complete and sign a Physical Fitness Assessment release, which will indicate the following:
  - a. Their ability to complete the physical fitness assessment;
  - b. Their inability to complete a portion of the physical fitness assessment due to an injury;
2. If they have an injury, provide a note from a medical practice indicating their limitations;
3. Assessment and Re-assessments – The Department views the assessment of whether an officer has the fitness necessary to perform essential police job functions as a measure of the fitness program's effectiveness, rather than a punitive process. The Department will administer physical fitness tests annually.
4. Motivational Assistance – Any officer needing any motivational or additional guidance can contact a Fitness Instructor to obtain that assistance. Guidance can include goal setting, exercise prescriptions, and related educational opportunities.

B. Medical Screening

1. Any officer who requests to be temporarily exempted from the physical fitness assessment tests due to an injury must bring this to the attention of the Program Coordinator or his/her designee as soon as the officer has knowledge of the condition. The officer will have a choice to be examined by a Department contracted physician or the officer's private physician. During the examination, the officer must provide the physician with their job description as identified by the City of Winchester Human Resources Department. If the officer is not cleared to participate in the assessment, the physician will indicate if the officer is "fit for duty" or otherwise able to perform the essential functions of their position. If the officer is found not to be "fit for duty", the Chief of Police shall be immediately notified.
2. Any officer injuries during assessment will be addressed in the following manner:
  - a. Any officer who injures him or herself during the fitness assessment will bring the injury to the immediate attention of the Fitness Instructor.
  - b. The officer shall follow reporting procedures set forth by the City of Winchester regarding workplace injuries.
  - c. The decision to continue testing on the day an injury or illness occurs during the physical assessment will be initially made by the tested officer. The officer may be overruled by the Program Coordinator after consultation with the Fitness Instructor and the appropriate medical providers. If the decision is made by the Program Coordinator that the injury or illness presents potential harm to the participant, the officer may not continue in the assessment process.
  - d. Fitness Instructors are responsible for the completion of an officer injury report per existing policy and procedure.

**VI. PHYSICAL FITNESS ASSESSMENT**

A. Purpose

The purpose of the physical fitness assessment is to determine the officer's ability to perform physical exercises that simulate occupational tasks identified as essential job functions. The absolute standards utilized for the Total Fitness Program were the result of a comprehensive validation study of physical activities performed by officers in the City of Winchester by Industrial/Organizational Solutions.

B. Assessment Implementation

Annually, each full-time sworn officer of the Department must complete a fitness assessment. The nature of this assessment and the manner in which it is administered is defined in this policy.

C. Test Protocol

1. The validity and accuracy of any test is compromised if the procedure for administering the test is altered in any way. All test protocols or fitness assessment exercises must be followed exactly in the same manner that was used to establish the norms.
2. The Program Coordinator and/or Fitness Instructor(s) shall instruct all participating officers in the correct test protocols.
3. The Program Coordinator and/or Fitness Instructor(s) shall ensure compliance of test protocols during all formal fitness assessments.
4. The Program Coordinator and Fitness Instructor(s) shall have final determination whether the officer was following established protocols for proper completion of the specific assessment exercise.

D. Assessment Components

The assessment program shall consist of six (6) components or exercises while wearing a weighted vest for the duration of the test

1. Reach/Flexibility;
2. Straight Line Run;
3. Hurdle;
4. Dummy Drag;
4. Serpentine;
5. Battle Ropes

E. Specific Physical Fitness Tests

The six (6) specific physical fitness tests are listed below and are completed as an obstacle course with an absolute standard of 3:00.



1. Reach and Flexibility-This exercise simulates situations where officers must reach behind their back or to the sides to grab handcuffs or other equipment on their duty belt;
2. Straight Line Run-This exercise is designed to simulate tasks where officers must run, in more-or-less of a straight line, during a pursuit;
3. Hurdles-This exercise simulates the job tasks where officers may have to step over large objects or retention walls while on the job;
4. Dummy Drag-This exercise was devised to simulate arriving to a scene where another officer or unconscious individual, needs to be dragged to safety;
5. Serpentine-This exercise simulates an officer having to run around obstacles in their way while on pursuit or lunge at or dodge an object or person; and
6. Battle Ropes-This exercise simulates a scenario when an officer must apprehend a resisting suspect in a scuffle.

F. Safety Measures

1. Testing will be supervised by the Program Coordinator and Fitness Instructors.
2. All fitness staff members will be responsible for adherence to all safety procedures regarding exercise protocols, injury prevention, monitoring/evaluating participants, and environmental factors.
3. Officers participating in the fitness program are responsible for complying with all safety directives as set forth by fitness staff members.

## VII. COMPLIANCE REQUIREMENTS

This section of the policy is applicable all officers employed by the Department.

1. Failure to complete this fitness test with a cutoff score of three minutes (3:00) will require the officer to submit to a first re-test no sooner than thirty (30), but no more than fifty (50) calendar days from the initial test.
2. During the time period between test and re-test, it is the officer's responsibility to keep the Program Coordinator informed of their fitness training and any request for assistance.
3. If the officer advises that the reason for the failure was an injury or illness, the officer shall be examined by a Department selected physician to evaluate the officer's ability to perform his or her essential job functions.

4. If the officer fails to comply in a second test, the same steps are followed before a third and final test.
5. If an officer fails a third and final assessment, the Program Coordinator will prepare a detailed report and forward the report to the Chief of Police for evaluation for fitness for continued employment as a law enforcement officer with the Winchester Police Department. If an officer fails a third and final assessment and is a member of one of the above units, the Program Coordinator will prepare a detailed report and forward to the Chief of Police for consideration of removal from the unit.

