

SAN DIEGO POLICE DEPARTMENT PROCEDURE

DATE: MARCH 14, 2017

NUMBER: 5.11 – HUMAN RESOURCES

SUBJECT: REPAIR OR REPLACEMENT OF EMPLOYEE'S PERSONAL PROPERTY

RELATED POLICY: 5.11

ORIGINATING DIVISION: HUMAN RESOURCES

NEW PROCEDURE:

PROCEDURAL CHANGE: **EXTENSIVE CHANGES**

SUPERSEDES: DP 5.11 – 10/4/2013

I. PURPOSE

This Department procedure establishes guidelines for repairing or replacing an employee's personal property that is damaged as a result of their employment.

II. SCOPE

This procedure applies to all members of the Department.

III. BACKGROUND

A. The City has established a fund to reimburse employees for the repair or replacement, within established dollar limits, of personal property damaged in the performance of their duties. Such items as eyeglasses, hearing aids, dentures, watches, personal equipment, or articles of clothing will be repaired or replaced when the damage is caused by extraordinary circumstances which arise out of employment and not from the normal hazards of ordinary wear and use. Incidents such as trousers torn during the performance of normal duties, or office mishaps, such as snagged stockings, are not covered.

- B. The intent of this fund is to reduce the financial impact of such damage on all employees. Each request for reimbursement will be evaluated individually and consideration will be given to the type, style, quality, etc. of the item damaged prior to determining full or partial reimbursement.
- C. The actual dollar reimbursement limitations are based upon market surveys of the type of item damaged.
- D. The option to repair or replace damaged items and whether replaced property will be returned to the employee rests with the City.
- E. The reimbursement provisions will be void if the employee has concealed or misrepresented any material fact or circumstances concerning the subject of the loss, his or her interest therein, or in the case of any fraud or false statements by the employee relating to the reimbursement request.

IV. REIMBURSEMENT PROCEDURES

A. Reimbursement Request Forms

As soon as possible after the damage has occurred, the employee shall complete the appropriate portion of the Request for Reimbursement for Loss of Personal Property form (Form HR-3).

1. The employee shall retain one copy of the form, then forward the original and three copies along with the damaged item, including copies of any police report that is applicable, to their commanding officer for review. If approved, the commanding officer will sign under "Department Head" on the form.
2. The commanding officer must appropriately investigate the claim to ensure it is legitimate and the information on the form is complete and accurate.
3. If the claim is approved, the command will send the claim and items to the Police Human Resources Unit.
4. Police Human Resources will forward the completed Form HR-3 to the City Human Resources Department for review.
5. If the claim receives final approval from the City Human Resources Department, Police Human Resources will provide a copy of the approved Form HR-3 to the employee and inform him/her that it will be processed in Payroll for the next applicable paycheck. Police Human Resources will send Administrative Services the approved Form HR-3.

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6. If the claim is not approved by the City Human Resources Department, Police Human Resources will complete the appropriate portion of Form HR-3, provide the employee with the original and a copy of the form along any damaged property.

V. ASSIGNMENT OF “RIGHT OF ACTION”

- A. If the Department member has insurance to cover their property damage, they should first seek that remedy.
- B. Reimbursed members assign any legal “right of action” against anyone for loss or damage to personal property up to the amount paid by the City, and will allow any suit to be brought in his or her name by the City at the City’s expense. Refer to City Administrative Regulation 35.70, Repair or Replacement of Employees Personal Property, for further details.

VI. REIMBURSEMENT EXCLUSIONS

The reimbursement program does not apply to losses:

- A. By mysterious disappearance or theft;
- B. Of precious or semi-precious stones from settings in watches, eyeglasses, or other normally utilitarian items;
- C. To any automobile, vehicle, trailer, motorcycle, or any equipment thereto;
- D. Of employee's property while in the care, custody, and control of others;
- E. Of the property of others while in the care, custody, and control of the employee;
- F. Of money;
- G. Resulting from acts of negligence or deliberate destructive acts on the part of the employee; or,
- H. Resulting from ordinary wear and tear incidental to normal use and employment or performance of duties on behalf of the City.

VII. APPEAL PROCEDURES FOR DISAPPROVED CLAIMS OR DISAGREEMENT WITH REIMBURSEMENT AMOUNT

A. The employee will:

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1. Prepare a memorandum to the Labor Relations Manager, via the commanding officer, stating reason(s) for the appeal, justification of the decision, and any supporting information.
2. Send the original and a copy of Form HR-3 along with two copies of the memo to Police Human Resources. Do not forward damaged item(s).
3. Retain one copy of the memorandum and the damaged property.

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B. Police Human Resources will:

1. Send the original and one copy of the appeal memo requesting an appeal and one copy of Form HR-3 to the City Human Resources Department.
2. Retain one copy of the memo.

C. The Labor Relations Manager or Designee will:

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1. Review the denied claim Form HR-3 along with the employee's appeal memorandum to determine the validity of the claim. The Labor Relations Manager or Designee may request any additional investigation or documentation as necessary.

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2. Note approval or disapproval of the claim on the original Form HR-3, provide reasons, and attach a copy of memorandum to the original Form HR-3.

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3. If approved, the original and a copy of the employee's appeal memorandum along with a copy of Form HR-3 will be forwarded to Police Human Resources for appropriate processing.

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4. If disapproved, send the original with a copy of the employee's appeal memorandum along a copy of Form HR-3 to Police Human Resources for appropriate processing, then send a copy to the employee.