



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-5936

**Type:** Miscellaneous Item

**In control:** City Council A Session

**On agenda:** 4/20/2017

**Title:** An Ordinance authorizing the extension of line-of-duty injury leave for San Antonio Fire Department Fire Engineer Frank Menchaca. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Draft Ordinance, 2. Ordinance 2017-04-20-0261

Date	Ver.	Action By	Action	Result
4/20/2017	1	City Council A Session	adopted	Pass

**DEPARTMENT:** SAFD

**DEPARTMENT HEAD:** Charles N. Hood

**COUNCIL DISTRICTS IMPACTED:** City Wide

**SUBJECT:**

Extension of Line of Duty Leave

**SUMMARY:**

This Ordinance would extend the line-of-duty (LOD) leave for Fire Engineer Frank Menchaca. He was charged accrued leave from July 20, 2010 to January 11, 2011 for an on the job injury which occurred while on duty February 9, 2008. This ordinance will restore eight hundred eighty eight (888) hours, or thirty seven shifts (37) of accrued leave. Approval of this ordinance is only within the authority of City Council. The Local Government Code, Chapter 143.073, states that after the one-year initial period of leave, the municipality's governing body may extend the line of duty illness or injury leave at full or reduced pay. This will allow the Department to consider this period line of duty leave.

**BACKGROUND INFORMATION:**

Fire Engineer Menchaca injured his left shoulder and cervical spine while lifting a patient out of an ambulance. He was diagnosed with a rotator cuff tear in his left shoulder and cervical herniations at C5 to C7. Fire Engineer

Menchaca had conservative medical treatment which included physical therapy, diagnostic tests, injections, and medications prior to surgical repair of his left rotator cuff. On July 20, 2010, he underwent a left shoulder arthroscopy to repair the rotator cuff, followed by post operative physical therapy and rehabilitation. On Line of Duty leave from February 13, 2008 until February 12, 2009. He returned to work in a light duty capacity from February 13, 2009 until July 19, 2010. He began using his own leave on July 20, 2010 to January 11, 2011. Fire Engineer Frank Menchaca returned to light duty on January 12, 2011.

**ISSUE:**

Fire Engineer Frank Menchaca, seeks an extension of Line of Duty leave from July 20, 2010 to January 11, 2011 for an injury suffered on February 9, 2008. This extension will restore 888 hours, or 37 shifts, of his accrued leave. Chapter 143 gives the City Council the authority to grant the extension of line-of-duty leave.

**ALTERNATIVES:**

Without approval by the City Council to grant the extension of line-of duty leave, Fire Engineer Menchaca would be required to utilize earned sick leave for an injury which occurred during the performance of his official duties with the City of San Antonio.

**FISCAL IMPACT:**

This extension would have no immediate fiscal impact; however, the value of eight hundred eighty eight (888) hours, based on current Collective Bargaining Agreement rates, would be \$36,487.92.

**RECOMMENDATION:**

Staff recommends approval of this Ordinance to extend the Line of Duty (LOD) for Fire Engineer Frank Menchaca.