



# City of San Antonio

## Agenda Memorandum

**File Number:**13-554

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**Agenda Item Number:** 33.

**Agenda Date:** 11/21/2013

**In Control:** City Council A Session

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**DEPARTMENT:** SAFD

**DEPARTMENT HEAD:** Charles N. Hood (SAFD)

**COUNCIL DISTRICTS IMPACTED:** City Wide

### **SUBJECT:**

Extension of Line of Duty Leave for Fire Engineer Jones

### **SUMMARY:**

This Ordinance would extend the line-of-duty (LOD) leave for Fire Engineer Van Jones. He was charged accrued leave from December 6, 2011 to September 30, 2012, and April 15, 2013 to June 9, 2013 for an on the job injury which occurred while on duty November 2, 2010. This Ordinance will restore two thousand seven hundred and four (2,704) hours, or one hundred (100) shifts of sick leave and three hundred four (304) hours of sick leave while on a 40 hour work schedule. 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 Jones injured his left hip and lower back while transporting a patient on a stretcher through wet terrain on November 2, 2010. He was diagnosed with a herniated disc at L4-L5 and a bulging disc at L5-L6. Fire Engineer Jones initially underwent extensive physical therapy and epidural steroid injections to his lower back. He then completed work hardening and a functional capacity examination. He was on Line of Duty leave from November 3, 2010 until March 9, 2011. After that time, Fire Engineer Jones returned to full duty work on March 10, 2011 until April 12, 2011. He continued to suffer pain from the injury and as a result, his physician took him off of full duty. He returned to Line of Duty leave on April 13, 2011 until December 5, 2011. He began using his own leave on December 6, 2011 to September 30, 2012, and from April 15, 2013 to

June 9, 2013. Fire Engineer Jones returned to full duty on June 10, 2013.

**ISSUE:**

Fire Engineer Van Jones, seeks an extension of Line of Duty leave from December 6, 2011 to September 30, 2012, and April 15, 2013 to June 9, 2013, for a left hip and lower back injury suffered on November 2, 2010. This extension will restore 2704 hours, or 100 shifts, of his accrued leave and 304 hours of sick leave while on a 40 hour work schedule. 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 Jones 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:**

Fire Engineer Jones might use his restored leave in the future, and receive payment for up to two thousand seven hundred and four (2704) hours, or one hundred (100) shifts of sick leave and three hundred and four (304) hours of sick leave while on a forty hour work schedule. This ordinance has an estimated potential fiscal impact of \$98,236.32 based on current Collective Bargaining Agreement rates.

**RECOMMENDATION:**

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