



# City of San Antonio

## Agenda Memorandum

**File Number:**20-3328

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**Agenda Item Number:** 14.

**Agenda Date:** 6/11/2020

**In Control:** City Council A Session

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**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 Ventura Calderon Jr. He was charged accrued leave from June 18, 2015 until September 17, 2015 and from September 4, 2019 until December 8, 2019 for an on the job injury which occurred while on duty May 6, 2014. This ordinance will restore one thousand and forty-six (1,046) hours, or one hundred and four (104.6) shifts 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 Calderon tripped over a parking block while walking into work and injured his left elbow, left wrist, knees, left ankle, left shoulder and left hip. He was diagnosed with contusions to the left elbow and knees, left wrist strain, left ankle sprain, left shoulder strain with labral tear, left hip contusion and strain, as well as, a medial meniscus tear in the right knee. Mr. Calderon underwent physical therapy, steroid injections, and many diagnostic tests. He had surgical repair of his right medial meniscus on January 8, 2015. Fire Engineer Calderon had surgery on his left shoulder on April 30, 2015. He continued with post-surgical physical therapy and injections. After continued issues with the right knee, Mr. Calderon underwent a complete knee

replacement on September 4, 2019. Fire Engineer Calderon was on Line of Duty leave from June 18, 2014 until June 17, 2015. He began using additional accrued leave on June 18, 2015 until September 17, 2015 and again on September 4, 2019 until December 8, 2019. Fire Engineer Calderon returned to light duty on December 9, 2019.

**ISSUE:**

Fire Engineer Ventura Calderon Jr. seeks an extension of Line of Duty leave from June 18, 2015 until September 17, 2015 and from September 4, 2019 until December 8, 2019 for an on the job injury suffered on May 6, 2014. This extension will restore 1,046 hours, or 104.6 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 Calderon 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 Calderon might use his restored leave in the future, and receive payment for up to one thousand and forty-six (1,046) hours, or one hundred and four (104.6) shifts of accrued leave. This ordinance has an estimated potential fiscal impact of \$43,461.30 based on current Collective Bargaining Agreement rates.

**RECOMMENDATION:**

Staff recommends approval of this Ordinance to extend the Line of Duty (LOD) for Fire Engineer Ventura Calderon Jr.