



# City of San Antonio

## Agenda Memorandum

**File Number:**15-1260

---

**Agenda Item Number:** 27.

**Agenda Date:** 2/12/2015

**In Control:** City Council A Session

---

**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 Firefighter Rebecca Castilla. She was charged accrued leave from December 7, 2012 to September 8, 2014 for an on the job injury which occurred while on duty December 8, 2011. This ordinance will restore three thousand six hundred eleven and one-half (3,611.50) hours 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:**

Firefighter Rebecca Castilla injured her buttocks, right shoulder, lumber and cervical spine when she fell from a broken chair. She was diagnosed with lumbar sprain/strain, cervical sprain/strain right shoulder strain and buttocks contusion. Diagnostic studies were performed which revealed a lumbar Herniated Nucleus Pulposus (HNP) and degenerative conditions to the cervical spine. Disputes were filed by the Third Party Administrator (TPA) contesting that the HNP and degenerative conditions of the cervical spine were compensable. Firefighter Castilla protested the dispute. Hearings were held and it was determined that the conditions in dispute were not part of the compensable injury. Firefighter Castilla proceeded through the appeals process to appeal the dispute. On July 7, 2014 the Appeals decision upheld the dispute that it was not a compensable injury. Firefighter Castilla underwent extensive physical therapy and lumbar epidural steroid injections. She continued with work

conditioning and work hardening program. She was on Line of Duty leave from December 8, 2011 until December 6, 2012. She began using her own leave on December 7, 2012 to September 8, 2014. Firefighter Rebecca Castilla returned to full duty on September 9, 2014.

#### **ISSUE:**

Firefighter Rebecca Castilla, seeks an extension of Line of Duty leave from December 7, 2012 to September 8, 2014 for injuries suffered on December 8, 2011. This extension will restore 3,611.50 hours, of her 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, Firefighter Castilla would be required to utilize earned leave for an injury which occurred during the performance of her official duties with the City of San Antonio.

#### **FISCAL IMPACT:**

This extension would have no immediate fiscal impact; however, the value of three thousand six hundred eleven and one-half (3,611.50) hours, based on current Collective Bargaining Agreement rates, would be \$128,966.66.

#### **RECOMMENDATION:**

Staff recommends approval of this Ordinance to extend the Line of Duty (LOD) for Firefighter Rebecca Castilla.