



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-5224  
**Type:** Miscellaneous Item  
**In control:** City Council A Session  
**On agenda:** 10/29/2015  
**Title:** An Ordinance authorizing the extension of line-of-duty injury leave for San Antonio Fire Engineer Richard Ortiz. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Richard Ortiz signed Decision Paper revised, 2. Draft Ordinance, 3. Ordinance 2015-10-29-0929

Date	Ver.	Action By	Action	Result
10/29/2015	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 Richard Ortiz. He was charged accrued leave from May 30, 2014 to October 22, 2014 for an on the job injury which occurred while on duty May 29, 2013. This ordinance will restore one thousand one hundred fifty-two (1152) hours, or forty-eight (48) 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 Ortiz injured his lower back while he was assisting in the rescue of a patient from a structure fire. He was diagnosed with lumbar sprain/strain and lumbar disc displacement at L3-4 and L5-S1. Fire Engineer

Ortiz had conservative medical treatment which included physical therapy, epidural steroid injections and diagnostic tests prior to a L5-S1 laminectomy and decompression that was performed on April 10, 2014. He continued physical therapy post surgery and participated in a work conditioning program before returning to work full-duty. On Line of Duty leave from May 30, 2013 until May 29, 2014. He began using his own leave on May 30, 2014 to October 22, 2014. Fire Engineer Richard Ortiz returned to duty on October 23, 2014.

#### **ISSUE:**

Fire Engineer Richard Ortiz, seeks an extension of Line of Duty leave from May 30, 2014 to October 22, 2014 for an injury that occurred on May 29, 2013. This extension will restore 1152 hours, or 48 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 Ortiz 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 one thousand one hundred fifty-two (1152) hours, based on current Collective Bargaining Agreement rates, would be \$30,493.44.

#### **RECOMMENDATION:**

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