



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-2044

**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 Firefighter Francisco Bryand Jr. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Bryand-Council Memo DOI 05 07 15 Risk Version, 2. Bryand Decision Signed, 3. Draft Ordinance, 4. Ordinance 2017-04-20-0262

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 Firefighter Francisco Bryand Jr. He was charged accrued leave from May 17, 2016 until July 7, 2016 for an on the job injury which occurred while on duty May 7, 2015. This ordinance will restore four hundred thirty two (432) hours, or eighteen shifts (18) 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 Bryand was injured May 7, 2015 while lifting a loaded stretcher into the back of an EMS unit. He was initially diagnosed with lumbar strain/sprain with spasms then diagnosed with lumbar herniated nucleus pulposus at L4-S1 and radiculopathy at L4-L5 based off an MRI scan. Firefighter Bryand had conservative medical treatment which included physical therapy, diagnostic tests, injections, chiropractic care and medications. On January 19, 2016, he underwent surgical decompression at the L4-L5 level, followed by post operative physical therapy and rehabilitation. Following several sessions of physical therapy, Firefighter Bryand was able to return to work full duty. On Line of Duty leave from May 8, 2015 until April 17, 2016, when he returned to work light duty on April 18, 2016. He was taken back off work on Line of Duty leave from April 27, 2016 until May 16, 2016. He began using his own leave on May 17, 2016 to July 7, 2016. Firefighter Bryand returned to full duty on July 8, 2016.

### **ISSUE:**

Firefighter Francisco Bryand Jr, seeks an extension of Line of Duty leave from May 17, 2016 until July 7, 2016 for an on the job injury which occurred while on duty May 7, 2015. This extension will restore 432 hours, or 18 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, Firefighter Francisco Bryand Jr. 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 four hundred thirty two (432) hours, based on current Collective Bargaining Agreement rates, would be \$9,914.40.

### **RECOMMENDATION:**

Staff recommends approval of this Ordinance to extend the Line of Duty (LOD) for Firefighter Francisco Bryand Jr.