



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-5880

**Type:** Miscellaneous Item

**In control:** City Council A Session

**On agenda:** 11/15/2018

**Title:** Ordinance extending line-of-duty injury leave for San Antonio Fire Department Fire Engineer Shody Henshaw. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Shody Henshaw signed decision paper - corrected, 2. Draft Ordinance, 3. Ordinance 2018-11-15-0916

Date	Ver.	Action By	Action	Result
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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 Shody Henshaw. He was charged accrued leave from December 23, 2016 to January 22, 2017 and April 11, 2017 to January 11, 2018 for an on the job injury which occurred while on duty December 23, 2015. This ordinance will restore one thousand seven hundred (1,700) hours, or one hundred seventy (170) days of 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 Henshaw was diagnosed with occupational illness on December 23, 2015. He was on Line of Duty leave from December 23, 2015 until December 22, 2016. He began using his own leave on December 23, 2016 to January 22, 2017 and again from April 11, 2017 to January 11, 2018 while undergoing surgery and treatment. Fire Engineer Shody Henshaw returned to work in a light duty capacity on January 12, 2018. He continues to work on a light duty assignment.

#### **ISSUE:**

Fire Engineer Shody Henshaw seeks an extension of Line of Duty leave from December 23, 2016 to January 22, 2017 and April 11, 2017 to January 11, 2018, for an on occupational illness suffered on December 23, 2015. This extension will restore 1,700 hours, or 170 days, of his 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 Henshaw would be required to utilize earned personal leave for an injury which occurred during the performance of his official duties with the City of San Antonio.

#### **FISCAL IMPACT:**

Fire Engineer Henshaw might use his restored leave in the future, and receive payment for up to nine hundred seventy-nine (979.02) hours, or 97.9 days of personal leave. The remaining seven hundred twenty (720.98) hours will be reimbursed to the Union sick bank, which Mr. Henshaw utilized while going through the Workers' Compensation Insurance administrative hearing process. This ordinance has an estimated potential fiscal impact of \$38,867.09 based on current Collective Bargaining Agreement rates.

#### **RECOMMENDATION:**

Staff recommends approval of this Ordinance to extend the Line of Duty (LOD) for Fire Engineer Shody Henshaw