

1 [Workers' Compensation Council]
 2 AMENDING CHAPTER 16, ARTICLE VIII-A OF PART I OF THE SAN FRANCISCO
 3 MUNICIPAL CODE (ADMINISTRATIVE CODE), BY AMENDING SECTIONS 16.121-1
 4 THROUGH 16.121-5, TO REPLACE THE CENTRAL SAFETY COMMITTEE WITH A
 5 WORKERS' COMPENSATION COUNCIL, TO BE CHAIRED BY THE HUMAN RESOURCES
 6 DIRECTOR, AND MAKING OTHER CONFORMING AMENDMENTS, AND AMENDING
 7 CHAPTER 2A, ARTICLE II, OF PART I OF THE SAN FRANCISCO MUNICIPAL CODE
 8 (ADMINISTRATIVE CODE), BY AMENDING SECTION 2A.31, TO COORDINATE
 9 DEPARTMENTAL RESPONSIBILITY FOR WORKERS' COMPENSATION COSTS WITH
 10 THE WORKERS' COMPENSATION COUNCIL.

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12 Note: Additions are underlined; deletions are in ((double parentheses)).

13
14 Be it ordained by the People of the City and County of San Francisco:

15
16 Section 1. Chapter 16 of the San Francisco Administrative Code is hereby amended
17 by amending Sections 16.121-1 through 16.121-5, to read as follows:

18
19 **ARTICLE VIII-A:**

20 **WORKERS' COMPENSATION, SAFETY AND ACCIDENT PREVENTION**

21
22 **SEC. 16.121-1. PURPOSE OF ARTICLE.**

23 The Board of Supervisors of the City and County of San Francisco hereby declares that
24 this Article is adopted to achieve top management oversight of workers' compensation and an
25 integrated accident prevention program for employees of the City and County of San

1 Francisco ((and for members of the general public using its facilities and properties)). To the
2 extent that funds made available permit, the program shall include, without being limited to,
3 the following objectives:

4 (a) Training of supervisory personnel and employees generally in safety practices and
5 procedures ((measures)) and workers' compensation best practices and procedures ((safe
6 driving practices)) through oral and visual education at meetings, by personal contact, and
7 through the issuance of posters, bulletins and other ((printed)) material through print and
8 electronic means;

9 (b) Gathering and analysis of data relating to accident experience; and

10 (((c) Establishment of inspection procedures of the condition and use of City and
11 County lands, buildings and other property, particularly mechanical equipment, tools, and
12 machinery; and))

13 (c) (((d))) Providing safety guidance to department heads and other responsible
14 officials.

15
16 **SEC. 16.121-2. WORKERS' COMPENSATION COUNCIL ((CENTRAL SAFETY**
17 **COMMITTEE)); MEMBERS; PROCEDURE.**

18 A Workers' Compensation Council ((Central Safety Committee)) is hereby established
19 consisting of the Human Resources Director, who shall be chair, the City Administrator, the
20 Controller, the City Attorney, the Executive Director of the Retirement System, and the
21 Mayor's Director of Budget and Finance. ((the City Administrator, who shall be chair, the
22 Director of Administrative Services, the Chief of Police, the Chief of the Fire Department, the
23 General Manager of the Park and Recreation Department, the Manager of Utilities, the
24 General Manager, Personnel, the President of the Retirement Board, and the County
25 Superintendent of Schools.)) It shall be the duty of each of these designated officers to serve

1 on the Workers' Compensation Council ((Central Safety Committee)), except that any
2 member of the Council ((Committee)) may deputize in writing filed with the Council
3 ((Committee)) any member of his or her office or department to serve in his or her place on
4 the Council ((Committee)) for such period or in such meeting as he or she may desire.
5 Neither the members of the Council ((Committee)) nor the members of their offices or
6 departments deputized to serve in their places at any time shall receive any additional
7 compensation ((as such members or acting members)) for their services on the Council
8 ((Committee)).

9
10 **SEC. 16.121-3. WORKERS' COMPENSATION COUNCIL ((CENTRAL SAFETY**
11 **COMMITTEE)); POWERS AND DUTIES.**

12 The Workers' Compensation Council ((The Accident Prevention Program shall be
13 under the jurisdiction of the Central Safety Committee. It)) shall have power, and it shall be its
14 duty to:

15 (a) Act in an advisory capacity in all matters pertaining to workers' compensation and
16 safety as required for the guidance of management, department heads, officers and
17 employees of the City and County of San Francisco;

18 (((b) Coordinate safety work required to be performed by any private safety
19 engineering consultants with the integrated safety program;))

20 (b) (((c))) Assist the Human Resources Director ((Retirement Board)) in the
21 establishment and maintenance of a record system that will continuously collect and compile
22 all pertinent statistical data relating to all work-related injuries and illnesses ((accidents))
23 involving employees ((or facilities or property)) of the City and County of San Francisco;

24 (c) (((d))) Submit an annual ((a semiannual)) report to the Board of Supervisors
25 generally setting forth the work performed and the progress made toward achievement of the

1 purpose ((and objectives) of the Workers' Compensation Council ((accident prevention
2 program)).

3
4 **SEC. 16.121-4. HUMAN RESOURCES DIRECTOR ((CITY ADMINISTRATOR)); POWERS**
5 **AND DUTIES.**

6 The Human Resources Director ((City Administrator)) shall act as coordinator of the
7 Workers' Compensation Council ((Accident Prevention Program under the direction of the
8 Central Safety Committee)).

9
10 **SEC. 16.121-5. POWERS OF CITY AND COUNTY OFFICERS NOT DIVESTED.**

11 No provision of this Article shall be deemed or construed to grant any authority to, or
12 impose any duty upon, the Workers' Compensation Council ((Central Safety Committee)) or
13 the Human Resources Director ((City Administrator)) which is vested or imposed by general
14 law or the Charter of the City and County of San Francisco in or on any other officer, board,
15 commission, department, or employee of the City and County.

16
17 Section 2. Chapter 2A of the San Francisco Administrative Code is hereby amended
18 by amending Section 2A.31, to read as follows:

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20 **SEC. 2A.31. DEPARTMENT RESPONSIBILITY FOR WORKERS' COMPENSATION**
21 **COSTS.**

22 The Board of Supervisors of the City and County of San Francisco hereby declares that
23 all departments shall share responsibility for workers' compensation costs and shall more
24 effectively monitor and manage workers' compensation costs for employees of the City and
25

1 County of San Francisco. To achieve this purpose, effective January 1, 2001 ((1992)), it shall
2 be required that:

3 (a) Department heads shall identify and utilize limited or modified duty assignments
4 whenever practical for workers with disabilities;

5 (b) Department heads shall identify the person or persons with authority and
6 responsibility for monitoring and managing workers' compensation costs and shall assist
7 communications between the workers' compensation claims division and the injured
8 employee;

9 (c) Operating managers at all levels shall be responsible for monitoring and managing
10 workers' compensation costs and shall receive training for this purpose;

11 (d) Performance evaluations of individual managers shall include review of their
12 management of workers' compensation claims and costs;

13 (e) City-wide budgeting and accounting mechanisms shall be established to allocate to
14 each department its equitable share of workers' compensation costs;

15 (f) Automated data on employee workers' compensation claims shall be produced and
16 made available by the Human Resources Director, the Controller, and all departments, in form
17 and frequency determined by the Workers' Compensation Council ((Risk Manager/task force))
18 to be sufficient to permit effective analysis for department management of workers'
19 compensation costs;

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1 (g) Department heads shall submit a written report each quarter to the Workers'
2 Compensation Council ((Risk Manager/task force)) on the status of the department's workers'
3 compensation claims. These reports shall include but not be limited to incidence rates of
4 employee injuries, lost workday incident rates, year-to-year comparisons, utilization by the
5 department of limited or modified duty assignments and disability transfers.
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9 APPROVED AS TO FORM:

10 LOUISE H. RENNE, City Attorney
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13 By:


14 THOMAS J. OWEN
15 Deputy City Attorney
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SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 001489

Date Passed:

Ordinance amending Chapter 16, Article VIII-A of Part I of the San Francisco Municipal Code (Administrative Code), by amending Sections 16.121-1 through 16.121-5, to replace the Central Safety Committee with a Workers' Compensation Council, to be chaired by the Human Resources Director, and making other conforming amendments, and amending Chapter 2A, Article II, of Part I of the San Francisco Municipal Code (Administrative Code), by amending Section 2A.31, to coordinate departmental responsibility for Workers' Compensation costs with the Workers' Compensation Council.

October 10, 2000 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Absent: 1 - Katz

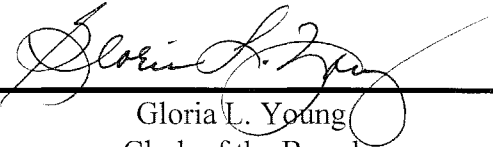
October 16, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Absent: 1 - Katz

File No. 001489


I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on October 16, 2000
by the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

OCT 27 2000

Date Approved



Mayor Willie L. Brown Jr.