[Workers' Compensation Council]

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.

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

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

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

ARTICLE VIII-A:

WORKERS' COMPENSATION, SAFETY AND ACCIDENT PREVENTION

SEC. 16.121-1. PURPOSE OF ARTICLE.

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

SUPERVISOR KAUFMAN, NEWSOM
BOARD OF SUPERVISORS
Francisco ((and for members of the general public using its facilities and properties)). To the extent that funds made available permit, the program shall include, without being limited to, the following objectives:

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

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

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

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

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

A Workers' Compensation Council ((Central Safety Committee)) is hereby established consisting of the Human Resources Director, who shall be chair, the City Administrator, the Controller, the City Attorney, the Executive Director of the Retirement System, and the Mayor's Director of Budget and Finance. ((the City Administrator, who shall be chair, the Director of Administrative Services, the Chief of Police, the Chief of the Fire Department, the General Manager of the Park and Recreation Department, the Manager of Utilities, the General Manager, Personnel, the President of the Retirement Board, and the County Superintendent of Schools.)) It shall be the duty of each of these designated officers to serve
on the Workers' Compensation Council ((Central Safety Committee)), except that any
member of the Council ((Committee)) may deputize in writing filed with the Council
((Committee)) any member of his or her office or department to serve in his or her place on
the Council ((Committee)) for such period or in such meeting as he or she may desire.
Neither the members of the Council ((Committee)) nor the members of their offices or
departments deputized to serve in their places at any time shall receive any additional
compensation ((as such members or acting members)) for their services on the Council
((Committee)).

SEC. 16.121-3. WORKERS' COMPENSATION COUNCIL ((CENTRAL SAFETY
COMMITTEE)); POWERS AND DUTIES.
The Workers' Compensation Council ((The Accident Prevention Program shall be
under the jurisdiction of the Central Safety Committee. It)) shall have power, and it shall be its
duty to:
(a) Act in an advisory capacity in all matters pertaining to workers' compensation and
safety as required for the guidance of management, department heads, officers and
employees of the City and County of San Francisco;
(b) Coordinate safety work required to be performed by any private safety
engineering consultants with the integrated safety program;)
(b) (( (c ))) Assist the Human Resources Director ((Retirement Board)) in the
establishment and maintenance of a record system that will continuously collect and compile
all pertinent statistical data relating to all work-related injuries and illnesses ((accidents))
involving employees ((or facilities or property)) of the City and County of San Francisco;
(c) (( (d ))) Submit an annual ((a semiannual)) report to the Board of Supervisors
generally setting forth the work performed and the progress made toward achievement of the

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

Page 3
9/28/00
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purpose ((and objectives) of the Workers' Compensation Council ((accident prevention program)).

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

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

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

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

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

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

The Board of Supervisors of the City and County of San Francisco hereby declares that all departments shall share responsibility for workers' compensation costs and shall more effectively monitor and manage workers' compensation costs for employees of the City and County.
County of San Francisco. To achieve this purpose, effective January 1, 2001 ((1992)), it shall be required that:

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

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

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

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

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

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

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS
(g) Department heads shall submit a written report each quarter to the Workers' Compensation Council ((Risk Manager/task force)) on the status of the department's workers' compensation claims. These reports shall include but not be limited to incidence rates of employee injuries, lost workday incident rates, year-to-year comparisons, utilization by the department of limited or modified duty assignments and disability transfers.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: THOMAS J. OWEN
Deputy City Attorney

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

Page 6
9/28/00
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
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

Mayor Willie L. Brown Jr.