AMENDING CHAPTER 16, ARTICLE IV, OF PART I OF THE SAN FRANCISCO MUNICIPAL CODE (ADMINISTRATIVE CODE), BY REPEALING SECTIONS 16.89, 16.89-1, AND 16.89-2, DEALING WITH MEDICAL EXAMINATIONS FOR CERTAIN CITY EMPLOYEES.

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, Article IV, of the San Francisco Administrative Code is hereby amended by repealing Sections 16.89, 16.89-1, and 16.89-2.

((SEC. 16.89. FEES FOR MEDICAL EXAMINATIONS.

The Retirement System is hereby authorized to accept the fees for the cost of re-examinations when the personal physicians of certain applicants for appointment of civil service positions file reports contending that conditions reported by the civil service medical examiner do not exist in fact, or are of no significance in evaluating the suitability of the applicants for employment, and such funds received shall be deposited in a special fund known as the Medical Re-examination Fund, Civil Service, and the receipt and expenditure of this fund shall be subject to the provisions of the annual appropriation ordinance.))

((SEC. 16.89-1. MEDICAL EXAMINATIONS OF APPLICANTS FOR ENTRANCE POSITIONS IN UNIFORMED FORCES OF POLICE AND FIRE DEPARTMENTS.

All applicants for entrance position in the uniformed forces of the Police and Fire Departments, after the effective date of this ordinance, shall be given X-ray examinations of...
the back and electrocardiogram tests as part of the Civil Service Commission entrance physical examination, provided, however, that policewomen applicants shall be given the electrocardiogram tests only.

((SEC. 16.89-2. PHYSICAL EXAMINATIONS REQUIRED, MEMBERS OF THE UNIFORMED FORCES OF THE POLICE AND FIRE DEPARTMENTS.

(a) Uniformed members of the Police and Fire Departments appointed on or after the operative date of this Section, and such current uniformed members who so elect, shall submit to periodic physical examinations by a physician or physicians designated by the Civil Service Commission subject to the procedures herein listed. The cost of such examinations shall be borne by the City and County.

(b) Uniformed members of the Police and Fire Departments whose dates of appointment precede the operative date of this Section may elect to avail themselves of the periodic physical examinations herein provided. Those members who so elect may also elect to be covered by the same provisions applicable to employees appointed after the operative date of this Section; or they may specify that only Subsection (c) and the first sentence of Subsection (f) of this Section shall apply. An employee who elects to avail himself of these examinations may not withdraw or change his option without the consent of the Civil Service Commission and the commission of his department.

(c) Periodic physical examinations will be given on the following schedule: (1) Employees under 30 - no examinations; (2) Employees from age 30 to age 40 - physical examination upon reaching the age 30 and every second year thereafter; (3) Employees 41 years of age and older - physical examinations annually. Such examinations will be given to individual members as soon as practicable after attaining the age required for each periodic examination.

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS
(d) The Civil Service Commission will establish standards of physical fitness jointly with the Police or Fire Commissions for members of their respective departments. Such standards shall take into consideration the nature of the duties and responsibilities of the various ranks within each department and of the ages and assignments of the persons examined.

(e) The Civil Service Commission, the departments concerned, and those employee organizations whose membership includes not less than 10 percent of the uniformed employees of either the Police Department or the Fire Department shall nominate a panel of at least three physicians not regularly employed by the City and County to serve as a Medical Review Board. Such nomination shall be unanimous. The Medical Review Board shall have the power to review all findings and make recommendations thereon, including referral of individuals for further testing prior to final recommendation and consultation with medical specialists.

(f) The findings of the examining physician or physicians shall be reported to each person examined insofar as medical ethics permit and may be reported to a physician to be named by that person. The findings shall also be referred to the Civil Service Commission and to the departmental commission applicable. The examining physician or physicians shall report that (1) the examinee is fit for continued service, (2) the examinee is not fit for continued service, or (3) special findings are required, together with a recommendation based on these special findings. Findings under (1) shall be considered routine and shall be so recorded in personnel files. Findings under (2) and (3) shall be considered by the Civil Service Commission.
Commission or the General Manager, Personnel, who shall consult with the department concerned. The employee so concerned shall have the right to contest such findings by appeal to the Medical Review Board and the Civil Service Commission.}

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

By: THOMAS J. OWEN
Deputy City Attorney
Ordinance amending Chapter 16, Article IV, of Part I of the San Francisco Municipal Code (Administrative Code), by repealing Sections 16.89, 16.89-1, and 16.89-2, dealing with medical examinations for certain City employees.

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 Young
Clerk of the Board

OCT 27 2000
Date Approved

Mayor Willie L. Brown Jr.