

1 [Labor-Management Agreement - San Francisco Firefighters' Association, Local 798 -  
2 Workers' Compensation Alternative Dispute Resolution Program]

3 **Resolution authorizing the Department of Human Resources to enter a Workers'**  
4 **Compensation Alternative Dispute Resolution Labor-Management Agreement with the**  
5 **San Francisco Firefighters' Association, Local 798, with an initial term of three years to**  
6 **commence following approval by the Board of Supervisors, and continuing year to year**  
7 **thereafter, in one-year terms.**

8  
9 WHEREAS, California Labor Code, Section 3201.7, authorizes an employer and a  
10 union certified as the exclusive bargaining representative for affected employees to enter into  
11 a labor-management agreement, separate and apart from the applicable memorandum of  
12 understanding, to establish alternative dispute resolution procedures to those required by  
13 state workers' compensation laws; and

14 WHEREAS, The City and County of San Francisco ("City") and the San Francisco  
15 Firefighters' Association, Local 798 ("Local 798"), wish to enter a Workers' Compensation  
16 Alternative Dispute Resolution Labor-Management Agreement ("Agreement") to maintain  
17 good labor-management relations between the City and Local 798, and to provide an  
18 alternative dispute resolution program ("ADR Program") for claims by current and former  
19 (including retired) Local 798-represented City employees who have experienced or may  
20 experience an industrial illness or injury; and

21 WHEREAS, The goals of the ADR Program are to provide for: (1) timely and efficient  
22 determinations on employees' workers' compensation claims; (2) timely and efficient access  
23 to high-quality medical care for industrially ill or injured employees; (3) the return of  
24 employees to work in a timely fashion; and (4) timely, efficient, and fair resolution of all  
25 disputes that arise in connection with employees' workers' compensation claims; and

1           WHEREAS, The Agreement is not intended to expand or diminish statutory  
2 entitlements, rights, or obligations of employees or the City, or to expand or diminish any  
3 entitlements, rights, or obligations under local law or the Memoranda of Understanding  
4 between the City and Local 798; and

5           WHEREAS, The Controller will evaluate and report on the ADR Program's estimated  
6 costs and savings at the conclusion of each full fiscal year the Agreement is in effect; and

7           WHEREAS, The City will allocate an amount equal to 50% of the ADR Program  
8 estimated net savings, as stated in the Controller's report, for the benefit of active employees  
9 represented by Local 798; and

10          WHEREAS, A copy of the Agreement is on file with the Clerk of the Board of  
11 Supervisors in File No. 190051; now, therefore, be it

12          RESOLVED, That the Board of Supervisors authorizes the Department of Human  
13 Resource to execute the Workers' Compensation Alternative Dispute Resolution Labor-  
14 Management Agreement with the San Francisco Firefighters' Association Local 798, with an  
15 initial term of three years to commence following approval by the Board of Supervisors, and  
16 continuing year to year thereafter.



City and County of San Francisco

Tails  
Resolution

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

File Number: 190051

Date Passed: February 26, 2019

Resolution authorizing the Department of Human Resources to enter a Workers' Compensation Alternative Dispute Resolution Labor-Management Agreement with the San Francisco Firefighters' Association, Local 798, with an initial term of three years to commence following approval by the Board of Supervisors, and continuing year to year thereafter, in one-year terms.

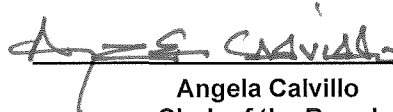
February 07, 2019 Government Audit and Oversight Committee - RECOMMENDED

February 26, 2019 Board of Supervisors - ADOPTED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

File No. 190051

I hereby certify that the foregoing Resolution was ADOPTED on 2/26/2019 by the Board of Supervisors of the City and County of San Francisco.

  
Angela Calvillo  
Clerk of the Board



London N. Breed  
Mayor

  
3/8/19  
Date Approved