

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.**

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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.