



**CITY OF SAN ANTONIO
Request for Council Action**

Agenda Item #
Council Meeting Date:
RFCA Tracking No:

DEPARTMENT: SAFD

DEPARTMENT HEAD: Charles N. Hood

COUNCIL DISTRICT(S) IMPACTED:
City Wide

SUBJECT:
Extension of Line of Duty Leave

SUMMARY:

This Ordinance would extend the line-of-duty (LOD) leave for Fire Engineer Robert Despain. He was charged accrued leave from September 30, 2021 until November 30, 2021 for an illness suffered while on duty on August 25, 2020. This ordinance will restore four hundred and fifty-six (456) hours, or nineteen (19) shifts of accrued leave. Approval of this ordinance is only within the authority of City Council. The Local Government Code, Chapter 143.073, states that after the one-year initial period of leave, the municipality's governing body may extend the line of duty illness or injury leave at full or reduced pay. This will allow the Department to consider this period line of duty leave.

BACKGROUND:

Fire Engineer Despain was diagnosed with Prostate Cancer a result of cumulative exposure to heat, smoke, toxins and carcinogens over the course of his career. Mr. Despain underwent oncology treatment to include surgical intervention. He experienced post-surgical complications resulting in additional medical procedures. Fire Engineer Despain was on Line of Duty leave from September 30, 2020 until September 29, 2021. He began using additional accrued leave on September 30, 2021 until November 30, 2021. Fire Engineer Despain was released to duty on December 1, 2021.

ISSUE:

Fire Engineer Robert Despain seeks an extension of Line of Duty leave from September 30, 2021 until November 30, 2021 for an illness suffered while on duty on August 25, 2020. This extension will restore 456 hours, or 19 shifts, of his accrued leave. Chapter 143 gives the City Council the authority to grant the extension of line-of-duty leave.

ALTERNATIVES:

Without approval by the City Council to grant the extension of line-of duty leave, Fire Engineer Despain would be required to utilize earned sick leave for an illness which occurred during the performance of his official duties with the City of San Antonio.

FISCAL IMPACT:

Fire Engineer Despain might use his restored leave in the future and receive payment for up to four hundred and fifty-six (456) hours, or nineteen (19) shifts of accrued leave. This ordinance has an estimated potential fiscal impact of \$13,315.92 based on current Collective Bargaining Agreement rates.

RECOMMENDATION:

Staff recommends approval of this Ordinance to extend the Line of Duty (LOD) for Fire Engineer Robert Despain.

ATTACHMENT(S):

File Description

File Name