

ORDINANCE NO. _____(N.S.)
**AN ORDINANCE AMENDING ARTICLE XII-D OF THE SAN DIEGO COUNTY
ADMINISTRATIVE CODE, RELATING TO THE DEPARTMENT OF HUMAN RESOURCES**

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Section 200.4 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 200.4. FUNCTIONS OF THE DEPARTMENT.

The Department shall perform such functions as may be assigned to it including the following:

- (a) Implement and maintain a personnel system which will assure recruitment, selection, promotion and retention of employees on the basis of merit.
- (b) Administer the personnel program including recruitment and examination, position classification, wage and salary determination, diversity plan, in-service training and employee development, performance appraisals, customer service program, employee incentives, leaves of absence, and maintenance and development of various other personnel programs and standards.
- (c) Administer risk management programs including management of workers' compensation, ~~and unemployment insurance claims against the County of San Diego;~~ coordination of employee medical exams, screenings, and immunizations as prescribed by law; ~~perform loss prevention duties described in Section 137 of this Administrative Code;~~ develop and/or implement programs to protect the County against liability risk; provide assistance to County departments to assure ~~that~~ the County is adequately protected from liability risks in its dealings with others through appropriate insurance requirements; ~~and other mechanisms;~~ provide an employee assistance and wellness program, and monitor and evaluate the results of such risk management programs.
- (d) Administer the employee benefits programs including health, life, dental, accidental death and dismemberment, vision, long-term disability and related health and welfare benefits; act as liaison between the County and insurance carriers to insure contract compliance; and assist County departments in modifying County policies and procedures due to changes in the law.
- (e) Administer the labor relations program including handling all matters arising under the Labor Relations Ordinance, provide case advocacy for grievance arbitrations and unfair labor practice charges, handle representation matters, provide assistance and advice to County departments on labor-management issues, and represent the Board of Supervisors in the meet and confer process with recognized employee organizations as required by law.

Section 2. Section 200.8 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 200.8. PROCESSING OF WORKERS' COMPENSATION CLAIMS.

(a) The Director is authorized to ~~allow~~ accept, deny, ~~compromise~~ or settle any Workers' Compensation claim or case that is filed against the County, provided:

1. The claim or action is for benefits as defined under the Workers' Compensation Laws of the State of California;
2. The claim or action is not subject to the terms of an insurance policy wherein the insurer is granted the authority to ~~allow~~ accept, deny, ~~compromise~~ or settle claims or actions within the scope of such policy;
3. That any such ~~compromise~~ or settlement is approved by the Workers' Compensation Appeals Board (WCAB).

(b) In all Workers' Compensation claims or actions that are ~~allowed~~ accepted, ~~compromised~~ or settled, the Auditor shall, upon the Director's presentation of the forms required by Section 95.1(h) of this Code, cause the necessary warrant to be issued upon the treasury of the County in an amount for which any Workers' Compensation claim or action has been allowed, compromised or settled by the Department and approved by the WCAB.

(c) The Director shall provide the Chief Administrative Officer via the Deputy Chief Administrative Officers with a quarterly status report relating to pending Workers' Compensation claims and actions.

Section 3. Section 201 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 201. ACCIDENT PREVENTION AND SAFETY.

The Board determines and declares that it is in the public interest for all County personnel to strive to eliminate accidents and injuries in all County activities. It shall be the responsibility of heads of all County agencies, departments, institutions and offices to insure safe working conditions and safety of personnel therein. In order to help accomplish these objectives a Risk Manager, Loss Prevention ~~Committee~~ Unit and departmental safety officers are hereinafter provided.

Section 4. Section 202 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 202. RISK MANAGER.

The Risk Manager, appointed by and under the supervision and control of the Director, Human Resources, shall prepare and coordinate a ~~loss prevention~~ risk management program for all County departments, institutions and offices to reduce and eliminate losses as they affect the County's workers' compensation, public liability, claims recovery, loss prevention, employee assistance and wellness, and employment medical standards and unemployment insurance; and as part of the ~~loss prevention~~ risk management program, shall have the following powers and duties:

- (1) To prepare and ~~conduct~~ promote an educational and training program in loss prevention and first aid for all County departments, institutions and offices, and to advise

and assist them in the development of safe operating practices and in the elimination of unsafe conditions.

(2) To review and analyze all reports required by Section 60 and to investigate or assist in investigation all accidents reported therein to determine causes and responsibilities; and at regular intervals to prepare and distribute reports and summaries of the results of such investigation and review.

(3) To oversee ~~act as a member and secretary of the Loss Prevention Committee Unit, and to advise said Committee on accident prevention and safety matters, call meetings of said Committee when its assistance is needed, or for the purpose of conducting hearings as hereinafter provided.~~

(4) To call upon any County officer or employee and to call upon the Loss Prevention Unit Committee for assistance in investigating accidents reported pursuant to Section 60.

(5) To inspect, as necessary, County property and to make recommendations to County officers and departments for the use of proper safety equipment, for the correction of unsafe operating practices and procedures, unsafe physical or mechanical condition of County property and facilities, and to require such officers and departments to report back in writing as to the action taken to correct such unsafe conditions.

(6) To establish and conduct a safety incentive program throughout the County.

Section 5. Section 203 of the San Diego County Administrative Code is hereby repealed.

~~SEC. 203. LOSS PREVENTION COMMITTEE.~~

~~—There is in the County a Loss Prevention Committee. The Committee shall consist of the Risk Manager and various department heads by invitation as necessary. The Committee may prepare and adopt rules of procedure for its own government and shall elect a chair from among its members at the beginning of each calendar year. Such rules may provide for committee members to be represented by alternates.~~

~~(Amended by Ord. No. 7478 (N.S.), effective 6-16-88, operative 7-1-88; amended by Ord. No. 9258 (N.S.), effective 11-9-00; amended by Ord. No. 10507 (N.S.), effective 1-4-18)~~

Section 6. Section 203.1 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 203.1. POWERS AND DUTIES OF LOSS PREVENTION COMMITTEE UNIT.

The Loss Prevention ~~Committee~~ Unit shall be an advisory ~~body~~ resource to departments which shall hold meetings at such times and places as it shall determine. It shall review the findings and reports of the Risk Manager and other County offices ~~officers and make such recommendations thereon to those officers and the CAO, as it shall determine, to promote safety, prevent accidents and reduce the County's exposure to risk.~~

Section 7. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published

ATTACHMENT AQ

once with the names of the members of this Board voting for and against it in a newspaper of general circulation published in the County of San Diego.

APPROVED AS TO FORM AND LEGALITY
CLAUDIA G. SILVA
COUNTY COUNSEL

By: Walter J. de Lorrell III, Chief Deputy County Counsel