

TO: James L. App, City Manager

FROM: Meg Williamson, Assistant City Manager

SUBJECT: **City Volunteers – Workers’ Compensation Coverage**

DATE: April 20, 2010

NEEDS: For City Council to consider a resolution confirming the provision of Workers’ Compensation Insurance to certain Volunteers.

FACTS:

1. The City engages the services of numerous volunteers to implement certain City programs.
2. Volunteers who perform scheduled work to deliver certain governmental services are eligible for workers’ compensation benefits.
3. The City’s Workers’ Compensation Insurance coverage has historically been extended to City volunteers.
4. A Risk Management audit identified that a formal resolution is appropriate to endorse the volunteer workers’ compensation plan.

ANALYSIS & CONCLUSION: Volunteers are a valuable resource in delivering services to the public. They often function in a capacity similar to paid employees who are covered by workers’ compensation benefits. It is logical and beneficial to continue to extend the workers’ compensation benefit to certain volunteers.

POLICY REFERENCE: Section 3363.5 of the Labor Code.

FISCAL IMPACT: The City’s past practice has been to extend workers’ compensation coverage to its volunteers. Formal adoption of a resolution endorsing this practice will not, therefore, increase costs.

OPTIONS:

- a. Adopt Resolution No. 10-XXX confirming the City’s past practice of providing workers’ compensation coverage for certain City Volunteers pursuant to the provisions of Section 3363.5 of the Labor Code.
- b. Amend, modify or reject the above option.

Attachments: Resolution confirming provision of workers’ compensation coverage of Volunteers

RESOLUTION NO. 10- XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
PROVIDING WORKERS' COMPENSATION COVERAGE FOR CERTAIN CITY
VOLUNTEERS PURSUANT TO THE PROVISIONS OF SECTION 3363.5 OF THE
LABOR CODE.

WHEREAS, the City of El Paso de Robles finds its best interest will be served by utilizing volunteers in the provision of certain government services; and

WHEREAS, said volunteers are eligible for workers' compensation coverage while on duty;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of El Paso de Robles does hereby:

1. Find and determine that the public interest is best served by providing workers' compensation coverage for City volunteer workers as specified by the City Manager; and

2. Provide eligibility for said volunteers for workers' compensation benefits which will be applicable during the time the person actually performs volunteer services, provided, however, that the rights of volunteers shall be limited as set forth in the Labor Code.

PASSED, APPROVED AND ADOPTED THIS 20th day of April, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABTAINS:

Duane Picanco, Mayor

ATTEST:

Lonnie Dolan, Deputy City Clerk