

RESOLUTION NO. 08-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING AUTHORIZATION FOR REPRESENTATION AT WORKERS' COMPENSATION PROCEEDINGS AND RESCINDING RESOLUTION NO. 8902.

WHEREAS, the City of Fullerton desires to monitor and control workers' compensation costs, as well as provide greater direction to our third party administrator and legal counsel; and,

WHEREAS, Risk Management works closely with each department and supervisor in evaluating job duties, work limitations and recovery progress of injured workers; and,

WHEREAS, such knowledge can be beneficial to legal counsel during workers' compensation legal proceedings; and,

WHEREAS, Resolution No. 8902 adopted by the City Council authorized the Director of Personnel and/or his designee be delegated authority to attend and participate at all workers' compensation legal proceedings on behalf of the City; and,

WHEREAS, Risk Management desires to establish formal oversight of workers' compensation program expenditures by setting claims settlement authority comparable to established settlement authority in the liability program.

WHEREAS, the Personnel Department was renamed the Human Resources Department, necessitating a change in the positions authorized to attend such proceedings; and,

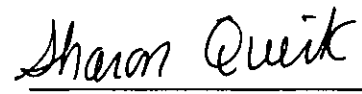
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fullerton:

Section 1: That the Director of Human Resources and/or his/her designee, in accordance with the Civil Code of Procedures §2025(i)(12), is hereby delegated the authority to attend and participate at all workers' compensation legal proceedings on behalf of the City.


Section 2: That the Director of Human Resources and/or his/her designee is hereby granted authority for claims settlements up to 40% permanent disability. Thereafter, the City Manager has authority for claims settlements above 40% permanent disability.

Section 3: That Resolution No. 8902 establishing authorization for representation at workers' compensation hearings is hereby rescinded.

ADOPTED BY THE FULLERTON CITY COUNCIL on July 1, 2008.

  
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Sharon Quirk, Mayor

ATTEST:

  
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Beverley White, City Clerk

City of Fullerton  
RESOLUTION CERTIFICATION

STATE OF CALIFORNIA   )  
COUNTY OF ORANGE    ) SS  
CITY OF FULLERTON     )

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I, Beverley White, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certifies that the whole number of the members of the City Council of the City of Fullerton is five; and that the above and foregoing Resolution No. 08-49 was adopted at a regular meeting of the City Council held on the 1<sup>st</sup> day of July, 2008, by the following vote:

COUNCIL MEMBER AYES:	Quirk, Jones, Bankhead, Keller, Nelson
COUNCIL MEMBER NOES:	None
COUNCIL MEMBER ABSTAINED:	None
COUNCIL MEMBER ABSENT:	None

  
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Beverley White, City Clerk