



## Legislation Details (With Text)

**File #:** 19-1654      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 10/30/2019      **In control:** Board of Supervisors

**On agenda:** 12/10/2019      **Final action:** 12/10/2019

**Title:** Human Resources Department recommending the Board approve and authorize the Chair to sign Resolution 209-2019 to replace Resolution 385-85 relating to self-insurance and claim adjustment procedures.

FUNDING: N/A

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Resolution 12-10-19, 2. B - Approved Blue Route 12-10-19, 3. C - Resolution 385-85 12-10-19, 4. Executed Resolution 209-2019

Date	Ver.	Action By	Action	Result
12/10/2019	1	Board of Supervisors	Approved	Pass

Human Resources Department recommending the Board approve and authorize the Chair to sign Resolution **209-2019** to replace Resolution 385-85 relating to self-insurance and claim adjustment procedures.

**FUNDING:** N/A

**DISCUSSION / BACKGROUND**

Given numerous changes since 1985, the Department of Human Resources recommends that Resolution 385-85 be replaced consistent with some recent Board-approved changes and to provide the necessary flexibility to maintain efficient and timely operations. A summary of the changes include:

- The County has determined to self-insure General Liability to the sum of \$1,000,000.00, and Workers' Compensation to the sum of \$300,000.00 self-insured retention (SIR). The SIR is unchanged; however, it's important to note that the SIR only applies to Excess Workers' Compensation for all workers' compensation claim settlements with a date of injury prior to September 1, 2018. Claims after September 1, 2018 are subject to the authority of the CSAC Excess Insurance Authority as a full insured program.
- Removes reference to a specific vendor and references the discretion for the Director of Human Resources to retain by written contract a third party administrator to perform self-insurance administration services or elect to have County staff perform such services.
- Includes the delegated authority to settle employee or labor grievances up to the sum of \$10,000.00 with the concurrence, or verbal agreement later confirmed in writing, of the Chief Administrative Officer and County Counsel of the County of El Dorado when it is determined that such settlement is in the best interest of the County.

- The references to Risk Manager are being replaced with Director of Human Resources because Risk Management is a division within Human Resources and it's recommended that the delegation be to a Board- appointed officer.
- Includes a provision that requires the Director of Human Resources to notify the Board of Supervisors when settlements have occurred, but only requires prior approval by the Board for amounts above the limits outlined in the Resolution.
- The standard for settlement is being changed to "best interest of the County" from "liability not subject to serious dispute." For example, there are many circumstances where settlement is advisable even when liability is not clear, such as when the cost of litigation would greatly exceed the settlement value, and no precedent is at stake.

### **ALTERNATIVES**

The Board could choose not to approve and authorize the Chair to sign the Resolution and direct Human Resources to make revisions.

### **PRIOR BOARD ACTION**

August 28, 2018 - Legistar item 18-1218, Primary Workers' Compensation Program

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel

### **CAO RECOMMENDATION**

It is recommended that the Board approve this item.

### **FINANCIAL IMPACT**

Approving the Resolution will not result in any financial impact.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

Please provide a fully executed copy of the Resolution to Katie Lee in Human Resources.

### **STRATEGIC PLAN COMPONENT**

Good Governance

### **CONTACT**

Tameka Usher, Director of Human Resources