



COUNTY ADMINISTRATOR

SUSAN S. MURANISHI
COUNTY ADMINISTRATOR

DONNA LINTON
ASSISTANT COUNTY ADMINISTRATOR

July 10, 2003

Honorable Board of Supervisors
Administration Building
Oakland, CA 94612

Dear Board Members:

**SUBJECT: ADOPT RESOLUTION RECOGNIZING VOLUNTEERS FOR
WORKERS' COMPENSATION AND OTHER MEDICAL
REIMBURSEMENT METHODS**

RECOMMENDATION:

Adopt a resolution that recognizes certain classifications of volunteers in the Sheriff's Department as employees for the purposes of receiving workers' compensation benefits in the event of injury while in the service of Alameda County, and recognizes all other volunteers to receive medical reimbursement and/or additional benefits in the event of injury through a program of self-insurance, purchased insurance, or combination thereof.

DISCUSSION/SUMMARY:

Volunteers providing service to the County of Alameda are valuable assets. As a measure of recognition to volunteers, the County recommends that volunteers be provided with certain benefits in the event the volunteer is injured while performing an authorized service to the County.

With respect to the classifications listed below, the County recognizes that the services performed by these classifications are critical to the operations of protection and safety to the community. As a result, the following classifications of volunteers are to be declared employees for purposes of receiving workers' compensation benefits in the event of injury while performing authorized services to the County:

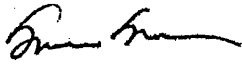
1. Reserve Deputy Sheriffs
2. Air Squadron Volunteers
3. Sheriff Posse
4. Search and Rescue/Underwater Rescue Volunteers
5. Amateur Radio Volunteers

All other volunteers authorized to perform services for the County will be eligible for accident & medical reimbursement benefits. Medical reimbursements will be authorized, if the volunteer does not have health care benefits or if their health care benefit does not adequately fulfill medical payment obligations. Other benefits such as accidental death benefits apply regardless of other existing policies in possession of the volunteer.

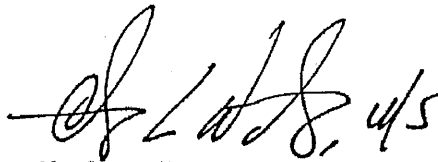
FINANCING:

The Risk Management Unit of the County Administrator's Office finances payment of benefits to volunteers. There is no change in net County cost associated with volunteer benefits.

Very truly yours,



Susan S. Muranishi
County Administrator



for Charles C. Plummer
Sheriff

SSM:CP:BK:SV:mfl

Attachments

Y:/Bd Ltr./Adopt Resolution for WC-Medical Reimbursement.doc

RESOLUTION NO. 2004-57

RESOLUTION
OF
THE ALAMEDA COUNTY BOARD OF SUPERVISORS
IN THE MATTER OF
PERSONS WHO PERFORM VOLUNTARY SERVICES FOR THE COUNTY

WHEREAS numerous persons perform voluntary services without remuneration (volunteers) for the County; and

WHEREAS said volunteers are excluded from the classification and compensation provisions of County Civil Service; and

WHEREAS said volunteers are not entitled to receive any salary, holiday, sick leave, or other employee benefits; and

WHEREAS said volunteers often perform important duties in various County departments and agencies and risk injuries to themselves for which it is hereby recognized that they should be entitled to workers' compensation benefits or other forms of medical coverage such as accident and health insurance; and

WHEREAS pursuant to California Labor Code Sections 3363.5 and 3364, the Board of Supervisors may adopt a resolution declaring that persons who perform voluntary service without remuneration be deemed employees for purposes of workers' compensation benefits for any injury sustained while performing such voluntary service; and

WHEREAS with respect to the classifications listed below, the County recognizes that the services performed by these classifications are critical to the operations of protection and safety to the community. As a result, the following classifications of volunteers are to be declared employees for purposes of receiving workers' compensation benefits in the event of injury while performing authorized services to the County. The following classifications would not receive workers' compensation benefits when performing as, or training as, Disaster Service Workers, wherein the State provides workers' compensation benefits:

- **Reserve Deputy Sheriffs:** While serving as peace officers - Levels I, II, and III.
- **Air Squadron Volunteers:** When providing administrative air transport of Sheriff's staff or County personnel (administrative air transport of personnel does not require peace officer powers), and when assisting in search and rescue or evidence searches.
- **Sheriff's Posse:** When participating in parades, public service ceremonial events, or providing miscellaneous public services not requiring officer powers, and when assisting in search and rescue or evidence searches.

- **Search and Rescue/Underwater Rescue Volunteers:** When assisting law enforcement with evidence searches, the rescue of persons or the recovery of human remains, or when providing public services such as medical stand-by, static displays and educational presentations.
- **Amateur Radio Volunteers:** When providing public service communications assistance to charitable events, such as runs or walks, or when assisting law enforcement on special occasions such as Halloween, and when assisting in search and rescue or evidence searches.

WHEREAS the County desires to provide a medical payment program, which may be a combination of self-insurance and/or purchased accident/death/disability insurance for volunteers that provide service to the County who do not fall within any of the aforementioned classifications.

NOW THEREFORE BE IT RESOLVED AND ORDERED that the Board of Supervisors hereby adopt this resolution declaring that, for purposes of workers' compensation benefits only, the aforementioned classifications of volunteers be deemed County employees for any injury sustained while engaged in the performance of any active law enforcement service under the direction and control of the sheriff.

FURTHER BE IT RESOLVED AND ORDERED that the County desires to provide a medical payment program, which may be a combination of self-insurance and/or purchased accident/death/disability insurance, for those volunteers who do not fall within any of the aforementioned classifications, in the event of injury or death while performing such services for or on behalf of the County.

APPROVAL TO FORM:

Richard E. Winnie, County Counsel

By: Devin Eaton May
Assistant County Counsel

ATTEST:

Crystal Hishida, Clerk of the Board of Supervisors

By: R. Bailey, Deputy

THE FOREGOING was **PASSED** and **ADOPTED** by the following vote of the Alameda County Board of Supervisors this 5th day of August, 2003, to wit:

AYES: Supervisors Carson, Haggerty, Lai-Bitker, Miley & President Steele -5

NOES: None

EXCUSED: None

Gail Steele
PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

Crystal K. Hishida, Clerk
Board of Supervisors

By: *R. Bailey*
Deputy

File: 18239
Agenda No: 17
Document No: R-2004-57



I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Supervisors, Alameda County, State of California.

ATTEST:
Crystal K. Hishida, Clerk
Board of Supervisors

By: *R. Bailey*
Deputy