



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2019-1155

**Type:** Ordinance      **Status:** Passed

**File created:** 1/23/2019      **In control:** City Council

**Final action:** 1/23/2019

**Title:** Amendment of Municipal Code Chapter 2-32 by adding new Articles XIV and XV, and modifying Section 2-32-031 regarding administration of City workers' compensation, and police and fire medical and hospital care programs

**Sponsors:** Dept./Agency, O'Connor, Patrick

**Indexes:** Ch. 32 Dept. of Finance

**Attachments:** 1. O2019-1155.pdf, 2. O2019-1155 (V1).pdf

Date	Ver.	Action By	Action	Result
2/20/2019	1	Office of the Mayor	Signed by Mayor	
1/23/2019		City Council	Passed	Pass
1/22/2019	1	Committee on Finance	Recommended to Pass	
1/22/2019	1	Committee on Finance	Direct Introduction	

### ORDINANCE

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Chapter 2-32 of the Municipal Code of Chicago is hereby amended by adding new Articles XIV and XV, underscored as follows:

#### ARTICLE XIV. WORKERS' COMPENSATION (2-32-1400 et seq.)

##### **2-32-1400 Program administration.**

(a) The Comptroller is authorized to administer a Workers' Compensation Program for the City, in accordance with the Workers' Compensation Act, codified at 820 ILCS 305, and the Workers' Occupational Diseases Act, codified at 820 ILCS 310.

(b) The Comptroller may carry out the duties set forth in subsection (a) of this section either directly, or through a designee, agent or contractor, and is authorized to enter into one or more agreements to secure the services of such designee, agent or contractor.

##### **2-32-1410 Annual report.**

The Comptroller shall annually post in a prominent public location on the Department of Finance website a report showing activity of the Program over the preceding year, including information pertaining to claims paid, claims denied, and associated expenditures of funds. Such information may be provided in the aggregate as appropriate to comply with applicable privacy law.

ARTICLE XV. POLICE AND FIRE MEDICAL AND HOSPITAL CARE (2-32-1500 et seq.)

**2-32-1500 Program administration.**

(a) The Comptroller is authorized to administer a program for payment for medical care, hospital treatment and vocational retraining, if appropriate, for Police or Fire Department personnel who sustain non-fatal injuries while in the performance of duty, in accordance with Article 22, Division 3 of the Illinois Pension Code, codified at 40 ILCS 5/22-301 et seq.

(b) The Comptroller may carry out the duties set forth in subsection (a) of this section either directly, or through a designee, agent or contractor, and is authorized to enter into one or more agreements to secure the services of such designee, agent or contractor.

**2-32-1510 Duties of department heads.**

(a) The Superintendent of Police and the Fire Commissioner, upon the occurrence of any accidental injury in the performance of duty by personnel under their respective supervision, shall have immediate medical care and hospital treatment given to such person; shall make or cause to be made a complete and careful investigation of all facts surrounding the occurrence; shall obtain the statements of all material witnesses; and shall promptly present a report thereof

to the Comptroller for consideration and action thereon, which consideration shall include the determination as to whether or not such injury was occasioned by the negligence of any other person or by any agent or servant of such other person. Such report shall show the actual date and hour of the injury, the place of occurrence, the names and addresses of witnesses, the apparent nature and extent of the injury, and all items of expense, with available bills attached.

(b) If the Comptroller reasonably concludes that such injury was occasioned by the negligence of some other person or his or her agent or servant, the Comptroller shall so notify the Corporation Counsel; who may then institute legal proceedings or otherwise seek to recover reimbursement for the amount expended by the City.

SECTION 2. Section 2-32-031 of the Municipal Code of Chicago is hereby amended by adding the underscored text, and deleting the struck-through text, as follows:

**2-32-031 Debt management policies; retention of rebate calculation agents, financial advisors, consultants, dissemination agents and qualified independent representatives.**

*(Omitted text is unaffected by this ordinance)*

(g) In connection with the administration of workers' compensation claims payable, per the annual appropriation ordinance from the Chicago Midway Airport Fund and the Chicago O'Hare Airport Fund, the chief financial officer is authorized to obtain and enter into any such letter of credit or line of credit agreement

as needed to secure agreements entered into and authorized by the ~~Chairman of the Committee on Finance~~ Comptroller, provided such letter of credit or line of credit shall bear interest at a rate or rates not to exceed seven percent (7%) per annum and shall not exceed an aggregate total of fifteen million (\$15,000,000) dollars. Terms exceeding these limits shall be approved by the City Council.

**SECTION 3. Transfer of powers.**

The Comptroller and the Department of Finance shall assume all rights, powers, duties, obligations and responsibilities, including those of the City Council Committee on Finance and its Chairman, with regard to the Workers' Compensation Program and the Police and Fire Medical and Hospital Care Program as set forth in this ordinance (together, the "Programs"). All personnel, books, records, property and funds relating to the Programs are transferred to the Comptroller and the Department of Finance. The Comptroller shall succeed to the rights and duties, including those of the Committee on Finance and its Chairman, under existing contracts, other agreements or ordinances relating to the Programs. All rules, regulations and policies relating to the Programs in effect as of the effective date of this ordinance shall remain in effect until amended or repealed by the Comptroller.

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SECTION 4. Section 3-8-260 of the Municipal Code is hereby renumbered as new Section 3-8-115 of Article 1 of Chapter 3-8. Article V of Chapter 2-152 of the Municipal Code, and the remainder of Article III of Chapter 3-8 of the Municipal Code, are hereby repealed.

SECTION 5. The Comptroller is authorized to implement the powers and duties set forth in this ordinance, including employee supervision and management, incrementally in order to promote efficiency and good organization and minimize disruption, with such transition to be completed no later than April 1, 2019.

SECTION 6. The transfer of jurisdiction over the Programs from the Committee on Finance to the Comptroller as set forth in this ordinance supersedes, and renders void, the jurisdiction of the Committee on Finance over the Programs as set forth in Rule 37 of the Rules of Order and Procedure of the City Council of the City of Chicago.

SECTION 7. This ordinance shall be effective upon the occurrence of both of the following: (1) its passage and approval, and (2) the passage of an ordinance amending the Annual Appropriation Ordinance for fiscal year 2019 to transfer necessary funding associated with the Programs from the Committee on Finance to the Comptroller.

*Ald. 40<sup>th</sup> Ward*

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Department of Finance city of chicago



January 22, 2019

TO THE HONORABLE, THE CHAIRMAN AND MEMBERS OF THE  
CITY COUNCIL COMMITTEE ON FINANCE

Ladies and Gentlemen:

I transmit herewith, together with Alderman O'Connor, an ordinance amending various provisions of the Municipal Code regarding the Workers' Compensation Program and the Police and Fire Medical and Hospital Care Program/

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

121 NORTH LASALLE STKEET, ROOM 700, CHICAGO, ILLINOIS 60602-1288

CHICAGO January 23, 2019

**To the President and Members of the City Council:**

Your Committee on Finance having had under consideration a proposed ordinance authorizing amendments to Chapter 2-32 and associated provisions of the Municipal Code of Chicago regarding the administration of the City's workers' compensation program and police and fire medical and hospital care program.

**Having had the same under advisement, begs leave to report and recommend that your Honorable Body pass the proposed Ordinance Transmitted Herewith.**

This recommendation was concurred in by \_\_\_\_\_ (a(fava voce vote  
of members of the committee with \_\_\_\_\_ dissenting vote(s)7  
Chairman

Respectfully submitted

(signed) Patrick O'Connor

Approved Approved

