



Staff Report

For Special City Council Meeting - 7/7/2020

Subject - Ordinances/Resolutions - Resolution #949 - Extending Works Compensation

Synopsis: At the May 20th Special Council Meeting, the City Councilors resolved to adopt Resolution #948 - Extending Workers Compensation to Volunteers. After a discussion with City Attorney Peter Watts, it was decided that the resolution should be rescinded due to a possible conflict of interest where City Councilors concurrently volunteer with CERT. The resolution has been rewritten to clarify "volunteer" definitions. It is attached and reassigned as Resolution #949.

Recommendation: N/A

Legal Analysis: N/A

Financial Analysis: N/A

Respectfully submitted,

A handwritten signature in black ink, appearing to be the name "Chad".

Chad



Volunteer Resolution

Resolution No.: 949

A resolution extending workers' compensation coverage to volunteers of The City Gearhart, in which Gearhart City Council elects the following:

Pursuant to ORS 656.031, workers' compensation coverage will be provided to the classes of volunteers listed in this resolution, noted on CIS payroll schedule, and verified at audit:

1. Public Safety Volunteers

Applicable ☒ Non-applicable ☐

An assumed monthly wage of \$1600 will be used for public safety volunteers in the following volunteer positions (check all that apply):

- Search and rescue
- Firefighter
- Emergency medical personnel
- CERT

2. Volunteer boards, commissions, and councils for the performance of administrative duties.

Applicable ☒ Non-applicable ☐

An aggregate assumed annual wage of \$2,500 will be used per each volunteer board, commission, or council for the performance of administrative duties. The covered bodies are (list each body):

- a. City Council
- b. Planning Commission

3. Manual labor by elected officials.

Applicable _____ Non-applicable X

An assumed monthly wage of \$800 per month will be used for public officials for the performance of non-administrative duties other than those covered in paragraph 2 above

List duties *[appropriate classification code will be applied by underwriting]*

4. Non-public safety volunteers

Applicable _____ Non-applicable X

All non-public safety volunteers listed below will track their hours and Oregon minimum wage will serve as assumed wage for both premium and benefits calculations. CIS will assign the appropriate classification code according to the type of volunteer work being performed. (List specific non-public safety volunteers below)

Parks and recreation
Senior center
Public works
Library
Other

5. Public Events

Applicable X Non-applicable _____

Volunteers at the following public events will be covered under workers' compensation coverage using verified hourly Oregon minimum wage as basis for premium and/or benefit calculation: (List specific events)

- a. Gearhart Firefighters Ball

6. Community Service Volunteers/Inmates

Applicable _____ Non-applicable X

Pursuant to ORS 656.041, workers' compensation coverage will be provided to community service volunteers commuting their sentences by performing work authorized by The City of Gearhart.

Oregon minimum wage tracked hourly will be used for both premium and benefit calculations, verifiable by providing a copy of the roster and/or sentencing agreement from the court.

7. Other Volunteers

Volunteer exposures not addressed here will have workers' compensation coverage if, prior to the onset of the work provided that The City of Gearhart:

- a. Provides at least two weeks' advance written notice to CIS underwriting requesting the coverage
- b. CIS approves the coverage and date of coverage
- c. CIS provides written confirmation of coverage

The City of Gearhart agrees to maintain verifiable rosters for all volunteers including volunteer name, date of service, and hours of service and make them available at the time of a claim or audit to verify coverage.

Now, therefore, be it resolved by The Gearhart City Council] to provide workers' compensation coverage as indicated above.

Adopted by the Gearhart City Council this 1st day of July, 2020.

Matt Brown Printed Name Mayor of Gearhart

Attest by _____ this _____ day of July, 2020.
Printed Name

Signature Title