



Legislation Details (With Text)

File #: 23-005 **Version:** 1 **Name:**

Type: Agreement **Status:** Approved

File created: 12/20/2022 **In control:** City Council

On agenda: 1/10/2023 **Final action:** 1/10/2023

Title: Communication from the City Manager and Director of Human Resources with a Request to AUTHORIZE the Payment of a WORKERS COMPENSATION SETTLEMENT, in the Amount of \$140,000.00, to a Firefighter Injured on Two Separate Dates Going Back to 2019.

Sponsors: Mary Ann Stalcup

Indexes:

Code sections:

Attachments: 1. Agmt 23-005

Date	Ver.	Action By	Action	Result
1/10/2023	1	City Council	approved	Pass

ACTION REQUESTED:

Communication from the City Manager and Director of Human Resources with a Request to AUTHORIZE the Payment of a WORKERS COMPENSATION SETTLEMENT, in the Amount of \$140,000.00, to a Firefighter Injured on Two Separate Dates Going Back to 2019.

BACKGROUND: This settlement involves a firefighter who went off work on an occupational disease disability from a claim on 01/07/2020. This firefighter filed two workers' compensation claims for the following dates: June 26, 2019 (Case 20 WC 006104) and January 07, 2020 (Case 20 WC 001928). In addition to the resolution of the two workers compensation claims, the claimant has agreed to waive and release any and all claims he may have under the PSEBA (Public Safety Employee Benefits Act) or PEDDA (Public Employee Disability Act). This case was pre-tried in front of the assigned arbitrators who gave the City favorable results. Based on Arbitrators' recommendations at pretrial the City was able to negotiate a more favorable settlement. The settlement of \$140,000.00 will resolve all pending workers' compensation claims as well as the PSEBA and PEDDA matters.

FINANCIAL IMPACT: If approved, the \$140,000.00 will be paid by our 3rd party administrator from the City's escrow account. The escrow is funded by the current workers' compensation claims line item located in the City's employee benefits budget.

NEIGHBORHOOD CONCERNS: N/A

IMPACT IF APPROVED: The current workers compensation case and pending lawsuit would be resolved and would eliminate any future litigation.

IMPACT IF DENIED: The cases would go unsettled resulting in further litigation, legal cost and possible awards that are less favorable to the City.

ALTERNATIVES: N/A

EEO CERTIFICATION NUMBER: N/A

WHICH OF THE GOALS IDENTIFIED IN THE COUNCIL'S 2017 - 2032 STRATEGIC PLAN DOES THIS RECOMMENDATION ADVANCE?

1. Financially Sound City

WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?

1. Have an efficient government.

DEPARTMENT: Human Resources