



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

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Title: Authority to settle the Workers' Compensation Claims of Grace Devereux vs. MWRDGC, Cases 11 WC 33910 and 14 WC 27305 Illinois Workers' Compensation Commission, in the sum of \$475,000.00, Account 901-30000-601090

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Date	Ver.	Action By	Action	Result
12/15/2016	1	Board of Commissioners	Approved	Pass
12/15/2016	1	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF DECEMBER 15, 2016

COMMITTEE ON JUDICIARY

Mr. David St. Pierre, Executive Director

Authority to settle the Workers' Compensation Claims of Grace Devereux vs. MWRDGC, Cases 11 WC 33910 and 14 WC 27305 Illinois Workers' Compensation Commission, in the sum of \$475,000.00, Account 901-30000-601090

Dear Sir:

Grace Devereux is a Hoisting Engineer at the Calumet Water Reclamation Plant. On June 10, 2010, she sustained injuries to her lower back while moving wooden cribbing to support crane riggers. She was initially seen at the industrial clinic on June 10, 2010, where she was diagnosed with lower back pain. She was disabled from work effective June 11, 2010. The employee treated conservatively with medicine and physical therapy. Surgery was recommended at this time, but she declined. The employee returned to work in a restricted duty capacity on March 4, 2013.

Ms. Devereux sustained a second injury to her lower back on April 22, 2013, while working in a restricted capacity on special assignment at the Stickney Water Reclamation Plant, as she was climbing a ladder from barge to dock. She went to the industrial clinic on April 22, 2013, and on May 31, 2013, she was disabled from work again. After undergoing additional conservative treatment of medical and physical therapy it was determined that she would proceed with surgery. A procedure was performed on April 1, 2014. Despite this procedure and periods of physical therapy, Mr. Devereux continued to experience problems with her back and was unable to resume her duties as a Hoisting Engineer. The District has analyzed Ms. Devereux's permanent work restrictions under the interactive process established by its Americans with Disabilities Act policy, and has determined that she cannot perform the essential functions of a Hoisting Engineer with or without a reasonable accommodation.

Ms. Devereux has been paid a total of \$386,073.36 in lost time benefits for both injuries as of December 2, 2016 for approximately 321 weeks and is currently receiving lost time benefits.

Mr. Devereux's attorney has filed two Applications for Adjustment of Claims with the Illinois Workers' Compensation Commission (IWCC). Subject to the approval of the IWCC, these claims can now be settled for \$475,000.00. This settlement would include a separate resignation and release of all claims against the District. In addition, this settlement closes out any future lost time and future medical benefits associated with these injuries.

The Director of Human Resources believes this settlement is in the best interest of the District and requests payment of that sum be approved and she be authorized to execute such documents as may be necessary to effect the settlement.

Requested, Beverly K. Sanders, Director of Human Resources, BKS:RAJ:RG:sts
Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Judiciary
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for December 15, 2016