



# 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 pay the award in the Workers' Compensation Claims of Jesus Avina vs. MWRDGC, Case Nos. 06 WC 30752 and 07 WC 34640, Illinois Workers' Compensation Commission, in the sum of \$24,093.80, Account 901-30000-601090

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Date	Ver.	Action By	Action	Result
8/12/2010	1	Committee of the Whole	Recommended	Pass
8/12/2010	1	Board of Commissioners	Approved	Pass

### TRANSMITTAL LETTER FOR BOARD MEETING OF AUGUST 12, 2010

#### COMMITTEE ON JUDICIARY

Mr. Richard Lanyon, Executive Director

Authority to pay the award in the Workers' Compensation Claims of Jesus Avina vs. MWRDGC, Case Nos. 06 WC 30752 and 07 WC 34640, Illinois Workers' Compensation Commission, in the sum of \$24,093.80, Account 901-30000-601090

Dear Sir:

Jesus Avina is a Maintenance Laborer A at the Stickney Water Reclamation Plant. On July 7, 2005, he was removing debris off of a gate valve to an aeration tank with a pitchfork. When the debris broke free, he lost his balance and fell onto a concrete pad. He went to Clearing Clinic and was diagnosed with a lumbar contusion. An MRI revealed bulging discs at L4-5 and L5-S1 and degenerative disc disease. Mr. Avina underwent a physical therapy program. He lost 96 days of work.

On August 4, 2006, he claimed lower back pain after lifting five-gallon water containers. He went to Clearing Clinic and was diagnosed with a lumbar strain. He underwent a physical therapy program. He lost 82 days of work.

Mr. Avina filed two Applications for Adjustment of Claim with the Illinois Workers' Compensation Commission (IWCC) being Case Nos. 06 WC 30752 and 07 WC 34640. Both cases were tried before Arbitrator DeVriendt of the IWCC on June 30, 2010. In the Arbitrator's decision of July 20, 2010, Mr. Avina was awarded 5% of the person as a whole for the July 7, 2005 accident (\$14,794.25) and 3% of the person as a whole for the August 4, 2006 accident (\$9,299.55) for a total award of \$24,093.80.

The General Counsel requests payment of that sum be approved and he be authorized to execute such documents as may be necessary to effect the settlement.

Requested, Frederick M. Feldman, General Counsel, FMF:LAG:VMM:nm  
Respectfully Submitted, Terrence J. O'Brien, 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 August 12, 2010