



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 Claim of Fatouma Ali vs. MWRDGC, Case 14 WC 9645, Illinois Workers' Compensation Commission (IWCC), in the sum of \$375,000.00, Account 901-30000-601090

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Date	Ver.	Action By	Action	Result
4/9/2015	1	Board of Commissioners	Approved	Pass
4/9/2015	1	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON JUDICIARY

Mr. David St. Pierre, Executive Director

Authority to settle the Workers' Compensation Claim of Fatouma Ali vs. MWRDGC, Case 14 WC 9645, Illinois Workers' Compensation Commission (IWCC), in the sum of \$375,000.00, Account 901-30000-601090

Dear Sir:

On April 3, 2012, Fatouma Ali was working as a Maintenance Laborer A at the Egan Water Reclamation Plant when she sustained an injury to her right shoulder and arm. The employee was initially seen at the industrial clinic on April 3, 2012 where she was diagnosed with a right upper arm strain. She was treated conservatively with physical therapy, but failed to improve. On August 10, 2012, she underwent surgery. Following this surgery, Ms. Ali underwent a course of physical therapy, but continued to experience ongoing problems with her right shoulder and arm. It was determined that she required a second surgical procedure. On May 7, 2013, she underwent additional surgery, after which a course of post physical therapy was prescribed, but she was not able to return to her previous functional level.

Ms. Ali's physician eventually recommended a Functional Capacity Evaluation to determine her work abilities. The evaluation was performed on September 13, 2013 and found Ms. Ali at the light physical work level, which is below the work threshold for her position at the District. She went through a formal ADA process, but the District was not able to accommodate her restrictions.

Fatouma Ali was initially disabled on April 5, 2012, before returning to work on April 22, 2012. She was disabled again on June 22, 2012, before returning to work on June 25, 2012. The third time, she was disabled effective July 5, 2012. Ms. Ali has continued to remain disabled up to the present time.

Ms. Ali has been paid a total of \$124,410.78, which represents 142 weeks of lost time benefits.

Ms. Ali filed an Application of Adjustment of Claim with the IWCC through her counsel. Subject to the approval of the IWCC, this claim can now be settled for a total amount of \$375,000.00. 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 this injury.

The Director of Human Resources believes that 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, Denice E. Korcal, Director of Human Resources, DEK:RAJ:RG:aw
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 April 9, 2015