



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 Xavier Rodriguez vs. MWRDGC, Case 11 WC 14831 Illinois Workers' Compensation Commission, in the sum of \$185,151.00, Account 901-30000-601090

Sponsors:

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Date	Ver.	Action By	Action	Result
2/1/2018	1	Board of Commissioners	Approved	Pass
2/1/2018	1	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF FEBRUARY 1, 2018

COMMITTEE ON JUDICIARY

Mr. David St. Pierre, Executive Director

Authority to settle the Workers' Compensation Claims of Xavier Rodriguez vs. MWRDGC, Case 11 WC 14831 Illinois Workers' Compensation Commission, in the sum of \$185,151.00, Account 901-30000-601090

Dear Sir:

Xavier Rodriguez was an Iron Worker at the Stickney Water Reclamation Plant. On February 3, 2011 he sustained injuries to his neck, left leg, and right shoulder after exiting the tool room to the parking area where he slipped on ice that was underneath the snow. He was initially seen at the industrial clinic on February 3, 2011, where he was diagnosed with a right shoulder contusion/ labra tear, a mild cervical sprain and left leg contusion. The employee was disabled from work effective February 4, 2011. He treated conservatively with a course of physical therapy, injections, and medications. The employee's condition improved enough where he was able to return to restricted duty on March 31, 2014. However, he was once again disabled from work effective April 30, 2015 after a surgical procedure on his right shoulder. Following this procedure the employee received an additional course of physical therapy. Mr. Rodriguez's capacity for a full return to work as an iron worker was in dispute. Subsequently his lost time benefits were suspended effective December 7, 2015. The employee retired from the District effective August 31, 2017.

Mr. Rodriguez has been paid a total of \$209,683.20 in lost time benefits for his injury for approximately 195.60 weeks total. He has received minimal medical care in relation to his work injury the past several years.

Mr. Rodriguez's attorney has filed an Application for Adjustment of Claim with the Illinois Workers' Compensation Commission (IWCC). Subject to the approval of the IWCC, this claim can now be settled for \$185,151.00. This settlement would include a separate 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. Due

to the employee being Medicare eligible, a Medicare Set Aside was funded as well.

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:
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 February 1, 2018