



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

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TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 20, 2014

COMMITTEE ON JUDICIARY

Mr. David St. Pierre, Executive Director

Authority to settle the Workers' Compensation Claim of Charles Bravo vs. MWRDGC, Case 12 WC 15386, Illinois Workers' Compensation Commission (IWCC), in the sum of \$300,000.00, Account 901-30000-601090

Dear Sir:

On January 20, 2011, Charles Bravo was working as an Electrical Operator I at the Calumet Water Reclamation Plant when he sustained an injury to his lower back. On January 24, 2011, he went to his personal physician who diagnosed low back strain and recommended an MRI of the lumbar spine. On January 31, 2011, an MRI of the lumbar spine disclosed a posterior protruding disc at L5-S1 and an annular bulge at L4-5. Mr. Bravo was prescribed medicines and physical therapy. He was initially disabled off from work effective March 1, 2011 before eventually being able to resume restricted duty on September 26, 2011.

On April 20, 2012, Mr. Bravo was disabled off work again, as his lower back pain continued. He saw a specialist who recommended additional physical therapy and eventually recommended a Functional Capacity Evaluation to determine work abilities. A Functional Capacity Evaluation report of June 17, 2013 found Mr. Bravo at the light-medium work level, below the work threshold for his position at the District. The District could not accommodate these restrictions.

In December, 2013, an independent medical doctor restricted the employee to no lifting greater than 30 pounds. Mr. Bravo went through a formal ADA process, but the District was not able to accommodate him.

The employee's lost time benefits were suspended effective December 22, 2013. However, as there is a difference of medical opinion, we still have lost time benefits exposure from December 22, 2013 to present and beyond.

Mr. Bravo has been paid a total of \$122,499.15, which represents 117 weeks of lost time benefits. We have exposure of up to 30 years of lost time benefits at the current rate of \$54,441.40 per year.

Mr. Bravo filed an Application of Adjustment of Claim with the IWCC through his counsel. Subject to the approval of the IWCC, this claim can now be settled for a total amount of \$300,000.00. 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 November 20, 2014