



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 MAY 21, 2015

COMMITTEE ON JUDICIARY

Mr. David St. Pierre, Executive Director

Authority to pay an award for the Workers' Compensation Claim of Scott Bresnahan vs. MWRDGC, Case 14 WC 23745, Illinois Workers' Compensation Commission (IWCC), in the sum of \$78,116.40, Account 901-30000-601090

Dear Sir:

On November 18, 2013, Scott Bresnahan was working as a Pipefitter at the Calumet Water Reclamation Plant when he sustained an injury to his lower back. The employee was initially seen at the industrial clinic on November 19, 2013 where he was diagnosed with low back pain. He was treated conservatively with physical therapy and prescribed medication.

On November 29, 2013, the employee returned to work on restricted duty. He was disabled from work again on January 9, 2014 while he continued to undergo physical therapy. Mr. Bresnahan was able to resume restricted duty work again on February 24, 2014. He saw a specialist of his choice and was sent for a second opinion from an independent medical specialist recommended by the District. Both doctors agreed that he could resume regular work. On April 7, 2014, he returned to regular duty work.

Mr. Bresnahan continued to complain of ongoing issues and effective May 1, 2014 he was disabled from work again. On May 21, 2014, he was released to return to regular duty work. On August 21, 2014, the employee had a follow up visit with his specialist who disabled him from work effective September 19, 2014. He has remained disabled since that time despite the District disputing his disability status. On October 14, 2014, he was referred back to the District's independent medical doctor. It was that doctor's opinion that he could resume full work duties.

The District took this case to trial at the Illinois Workers' Compensation Commission. The arbitrator filed a decision ruling against the District and granted an award to Mr. Bresnahan on March 25, 2015 in the amount of \$78,116.40, which represents \$34,488.15 in lost time benefits and \$43,628.25 in medical bills.

This award will not close out this claim, as the claim remains open while Mr. Bresnahan is still under active medical care and remains disabled from work. However, failure to pay this award can result in costly penalties from the IWCC.

The Director of Human Resources believes that the payment of this award is in the best interests of the District. We therefore request approval for payment and authorization to execute such documents as may be necessary to effect the payment of the award.

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 May 21, 2015