

Protecting Our Water Environment

BOARD OF COMMISSIONERS

Terrence J. O'Brien
President
Barbara J. McGowan
Vice President
Cynthia M. Santos
Chairman of Finance
Michael A. Alvarez
Frank Avila
Patricia Horton
Kathleen Therese Meany
Debra Shore
Mariyana T. Spyropoulos

Metropolitan Water Reclamation District of Greater Chicago

100 EAST ERIE STREET CHICAGO, ILLINOIS 60611-3154 312.751.5600

RONALD M. HILL

General Counsel

312.751.6565 f: 312.751.6598
ronald.hill@mwrdd.org

March 7, 2012

Mr. David St. Pierre
Executive Director
OFFICE

Re: Payment of Award in Loretta Bowman vs. MWRDGC, IWCC No. 10 WC 21579, Illinois Workers' Compensation Commission, in the sum of \$1,681.74. Account 901-30000-601090

Dear Sir:

Loretta Bowman is a Maintenance Laborer A Shift at the Stickney Water Reclamation Plant. On March 11, 2010, she alleged an injury to her left arm due to striking it on a 2x4 piece of wood that was part of a scaffold assembly. Ms. Bowman was treated initially at Excel Occupational Clinic (six days post injury) and diagnosed with a contusion and sprain in the area of her left biceps. Her complaints of severe pain continued, and a diagnostic MRI was performed on the left shoulder in April 2010. According to the clinic physician, Dr. Pillar, the MRI findings did not correlate either with the reported injury or the location of the patient's pain complaints. Given these facts as well as the fact that the pain complaints began to migrate and continued to be out of proportion with the alleged injury, Dr. Pillar opined that her ongoing complaints of pain were not related to the work injury. He discharged Ms. Bowman from his care on April 20, 2010. The District denied all subsequent medical treatment and lost time claimed.

Ms. Bowman selected her own physician to treat with and was taken off work as of May 9, 2010. She retained legal counsel in June 2010. Ms. Bowman underwent physical therapy for the alleged injury for roughly three months. During this time, the District obtained video surveillance documenting Ms. Bowman using the left arm to carry large packages and 20-pound bags of ice and for activities inconsistent with the level of pain she reported to her physician. Ms. Bowman was returned to work by her physician on August 7, 2010.

Mr. David St. Pierre
March 7, 2012
Page two

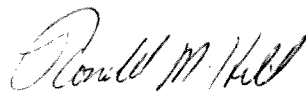
Ms. Bridget Neuson, special counsel for the District, defended the District's denial position at trial in July 2011. The disputed issues were lost time payments, medical bills, and permanency. The initial settlement demand was \$71,997.41, and prior to trial the Petitioner decreased her demand to roughly \$50,000.00.

Attached is the Arbitration Decision. The District prevailed on all issues. No medical treatment post April 20, 2010, was awarded, and no lost time was awarded. The Arbitrator awarded 1% loss of use of the left arm which totals \$1,681.74. This award represents a savings from the initial demand of \$70,315.67 and \$48,453.03 when compared with the decreased demand prior to trial.

This rare victory from a pro-petitioner arbitrator can be credited in large part to the aggressive defense mounted by the Claims Section and the District's workers' compensation special counsel.

The General Counsel believes that payment of this award is in the best interest of the District and requests payment of that sum be approved and he be authorized to execute such documents as may be necessary to effect the payment.

Respectfully submitted,



Ronald M. Hill
General Counsel

LAG
RMH:LAG:EW:nm
Attachment

cc: Lisa Goldberg
Brenda Holmes

Approved by:



David St. Pierre
Executive Director

Protecting Our Water Environment

BOARD OF COMMISSIONERS

Terrence J. O'Brien
President
Barbara J. McGowan
Vice President
Cynthia M. Santos
Chairman of Finance
Michael A. Alvarez
Frank Avila
Patricia Horton
Kathleen Therese Meany
Debra Shore
Mariyana T. Spyropoulos

Metropolitan Water Reclamation District of Greater Chicago

100 EAST ERIE STREET CHICAGO, ILLINOIS 60611-3154 312.751.5600

RONALD M. HILL

General Counsel

312.751.6565 f: 312.751.6598
ronald.hill@mwrdd.org

April 13, 2012

Mr. David St. Pierre
Executive Director
OFFICE

Re: Settlement of the Workers' Compensation Claim of Frank Ciolino vs. MWRDGC, IWCC No. 12 WC 011516, Illinois Workers' Compensation Commission, in the sum of \$3,589.49. Account 901-30000-601090.

Dear Sir:

Frank Ciolino is a Laborer Foreman at the North Side Plant who sustained an injury to his right ring finger on December 16, 2010, as a result of performing repetitive activities. Mr. Ciolino sought treatment with his own physician and was referred to Orthopedic Specialist, Dr. James Schlenker. On December 18, 2010, Mr. Ciolino underwent surgery of the right ring finger to correct triggering of the finger. He did not lose any time off from work.

This pro-se claim can be settled for \$3,589.49, which represents 20% loss of use of the right ringer finger.

The General Counsel believes this is an equitable settlement to conclude this matter and requests payment of that sum be approved and he be authorized to execute such documents as may be necessary to effect the settlement.

Respectfully submitted,



Ronald M. Hill
General Counsel

RMH:LJH:RG:nm

cc: Lynda Holliday
Brenda Holmes

Approved by:



David St. Pierre
Executive Director

Terrence J. O'Brien
President
Barbara J. McGowan
Vice President
Cynthia M. Santos
Chairman of Finance
Michael A. Alvarez
Frank Avila
Patricia Horton
Kathleen Therese Meany
Debra Shore
Mariyana T. Spyropoulos

Metropolitan Water Reclamation District of Greater Chicago

100 EAST ERIE STREET CHICAGO, ILLINOIS 60611-3154 312.751.5600

RONALD M. HILL
General Counsel

May 2, 2012

312.751.6565 f: 312.751.6598
ronald.hill@mwrdd.org

Mr. David St. Pierre
Executive Director
OFFICE

Re: Settlement of the Workers' Compensation Claim of Derrick Coleman vs. MWRDGC, IWCC No. 09 WC 42322, Illinois Workers' Compensation Commission, in the sum of \$8,221.50. Account 901-30000-601090

Dear Sir:

Derrick Coleman is a Motor Vehicle Dispatcher who is employed at the Main Office Building. On July 14, 2009, he was a front seat passenger riding with another employee to retrieve a pool car from an offsite location. While driving in heavy traffic, the driver of the District vehicle rear ended another vehicle.

Mr. Coleman complained of low back pain following the accident and was seen in the emergency room the same day. He was prescribed pain medication and given restricted work duties with a back sprain diagnosis. He began to lose time from work as of July 15, 2009.

Mr. Coleman was treated with physical therapy, medication, and activity modification. A diagnostic MRI was performed which ruled out a frank disc injury. Due to the ongoing complaints of pain and radicular symptoms, he was evaluated by a spine surgeon. He was diagnosed with facet arthropathy and an aggravation of the degenerative process at the L5-S1 level. The need for surgery was ruled out, and therapy continued. Mr. Coleman returned to unrestricted work on September 21, 2009. He lost 67 days from work.

The employee filed an Application for Adjustment of Claim with the Illinois Workers' Compensation Commission through his attorney. The claim now can be resolved on a full and final basis for 3% loss of use to the whole person for the back injury. This amounts to \$8,221.50.


The General Counsel believes this is an equitable settlement to conclude this matter and requests payment of that sum be approved and he be authorized to execute such documents as may be necessary to effect the settlement.

Respectfully submitted,

Approved by:



Ronald M. Hill
General Counsel



David St. Pierre
Executive Director

RMH:JZ:EW:nm
cc: J. Zabel
B. Holmes