



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Details (With Text)

**File #:** 19-0711      **Version:** 1

**Type:** Agenda Item      **Status:** Adopted

**File created:** 7/23/2019      **In control:** Judiciary Committee

**On agenda:** 8/8/2019      **Final action:** 8/8/2019

**Title:** Authority to settle the Workers' Compensation Claim of Brian Newhouse vs. MWRDGC, Case 13 WC 29709, Illinois Workers' Compensation Commission (IWCC), in the sum of \$425,000.00, Account 901-30000-601090

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
8/8/2019	1	Board of Commissioners	Approved	Pass

### TRANSMITTAL LETTER FOR BOARD MEETING OF AUGUST 8, 2019

#### COMMITTEE ON JUDICIARY

Mr. Brian A. Perkovich, Executive Director

Authority to settle the Workers' Compensation Claim of Brian Newhouse vs. MWRDGC, Case 13 WC 29709, Illinois Workers' Compensation Commission (IWCC), in the sum of \$425,000.00, Account 901-30000-601090

Dear Sir:

Brian Newhouse is a Hoisting Engineer at the Calumet Water Reclamation Plant. On November 23, 2012, he sustained injuries to his neck, left shoulder and wrist after slipping while exiting the cab of a crane. He was initially seen at the industrial clinic on November 23, 2012. He was initially treated conservatively with medication and physical therapy. He was initially disabled from work on December 10, 2012.

Mr. Newhouse underwent a cervical fusion surgery on June 18, 2013. Following the procedure the employee underwent a period of physical therapy. He was able to return to work on August 27, 2013. The employee continued to complain of neck pain and was disabled again on September 23, 2013. He returned to work again on October 1, 2013.

Following the cervical surgery Mr. Newhouse continued to have ongoing difficulties with his arm and it was determined that he would require additional treatment for his left shoulder. On October 15, 2014 he underwent surgical shoulder repair and was disabled from work again effective this date. Following the surgery he underwent a course of physical therapy. He was able to return to work on December 1, 2014.

Mr. Newhouse continued to receive treatment for his injuries and continued to complain of pain. He was disabled from work again effective October 21, 2016. On December 5, 2016 Dr. Kondamuri released Mr. Newhouse with permanent modified restrictions to avoid side-to-side head movements, and restrict lifting to 20 pounds. The doctor stated that he would not be able to operate heavy machinery. Mr. Newhouse was paid lost time benefits through March 3, 2017. Effective June 25, 2018 Mr. Newhouse's lost time benefits were

reinstated until his case is settled. As of June 26, 2019, Mr. Newhouse has been paid a total of \$139,509.60 in lost time benefits for approximately 116 weeks, and is currently still receiving lost time benefits.

Based on his restrictions it has been determined that suitable employment was not available at the District.

Mr. Newhouse has filed an Application of Adjustment of Claims with the Illinois Workers' Compensation Commission (IWCC). Subject to the approval of the IWCC, this claim can now be settled for \$425,000.00. 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 these injuries.

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  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for August 8, 2019