



City of Broken Arrow

Request for Action

File #: 18-946, Version: 1

**Broken Arrow City Council
Meeting of: 08-07-2018**

Title:

Ratification of Workers' Compensation Court Order for Tony C. McGill, Fire Department employee

Background:

The City received an Oklahoma Workers' Compensation Court Order for Tony C. McGill, an employee of the Fire Department. The Court Order is presented for the City Council's approval.

On June 10, 2013, while working as a firefighter, Mr. McGill sustained a back injury when lifting a patient. On July 11, 2013, Mr. McGill was released at maximum medical improvement. On July 14, 2014, Mr. McGill alleged an exacerbation of the original injury while lifting weights. The City denied the exacerbation claim as Mr. McGill had been released at maximum medical improvement more than a year. On July 13, 2017, a judge ordered 18% permanent partial disability and found that the 2014 injury was an aggravation. The City appealed this order. On June 22, 2018, the July 2017 order was affirmed.

The court determined that Mr. McGill is entitled to compensation totaling \$29,070.00. The sum of \$5,814.00 must be deducted from the award and paid to his attorney, Michael Green.

The order directs the City to pay taxes in the sum of \$799.43 and a filing fee in the sum of \$140.00. These amounts will be placed on the payment list for council approval.

The City's Workers' Compensation Attorney advises that there is no basis for appeal and would recommend the Order be approved by the Council.

Cost: \$30,009.43

Funding Source: Workers' Compensation Fund 60

Requested By: Jannette McCormick, Human Resources Director

Approved By: Michael L. Spurgeon, City Manager

Attachments: Workers' Compensation Order
Order on Appeal Affirming the Decision

Recommendation:

Ratify the Workers' Compensation Order for Tony C. McGill, a Fire Department employee.