



City of Broken Arrow

Request for Action

File #: 19-361, **Version:** 1

Broken Arrow City Council
Meeting of: 03-19-19

Title:

Ratification of Workers' Compensation Settlement for Kevin Smith, former Fire Department employee

Background:

On December 18, 2018, City Council authorized staff to settle a workers' compensation claim for Kevin Smith, a former employee of the Fire Department. This settlement is presented for the City Council's ratification.

Mr. Smith was injured while loading a cot with a patient on November 11, 2011. As a result, Mr. Smith underwent lumber hardware removal from a previous fusion. Mr. Smith was released on September 12, 2012, at maximum medical improvement. He received a disability separation due to permanent restrictions.

On February 20, 2019, the claimant accepted a full and final settlement of all claims for low back and any known or unknown body parts related to the injury on November 11, 2011.

The sum of \$45,000.00 was paid to the claimant and the claimant's attorney, Kimberly Watt. The sum of \$140.00 was paid to the Workers' Compensation Commission. The sum of \$337.50 was paid to the Oklahoma Tax Commission for the Special Occupational Health and Safety Tax. The Sum of \$900.00 was paid to the Oklahoma Tax Commission for the Own Risk Tax.

Cost: \$46,377.50

Funding Source: Workers' Compensation Fund

Requested By: Jannette McCormick, Human Resources Director

Approved By: Michael L. Spurgeon, City Manager

Attachments: Compromise Settlement

Recommendation:

Ratify the Workers' Compensation Settlement for Kevin Smith, a former Fire Department employee.