

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: February 15, 2022

DEPARTMENT: Risk/City Attorney

TITLE:

Approval of settlement with James Johnson for \$74,900 (inclusive of attorney's fees and costs) plus \$100 for general release of non-workers' compensation claims

SUMMARY:

This is a request to settle a workers' compensation claim filed by James Johnson for injuries he sustained on December 12, 2019. If approved, the Claimant's execution of a Mediated Settlement Agreement will be enforceable and will execute a general release of non-workers' compensation claims in favor of the City.

BACKGROUND AND JUSTIFICATION:

The Claimant, James L. Johnson, is a 55-year-old Equipment Operator II, who began working for the City of Lake Worth Beach on July 25, 2016. On December 12, 2019, the Claimant was involved in a motor vehicle accident where he sustained injuries to his lower back. The Carrier accepted this claim as compensable and authorized medical care with Dr. Craig Steiner who has recommended a one-level anterior body fusion (ALIF) at the L5-S1 level. If the City does not approve the proposed settlement, then the Claimant will go forward with the lower back surgery that has been recommended. The City will be required to pay workers' compensation wage benefits during the time of the Claimant's recovery from the surgery.

At mediation on January 21, 2022, the Claimant agreed to resolve the case for \$74,900 (inclusive of attorney's fees and costs). In addition, the City will pay \$100.00 consideration for a General Release for non-worker's compensation claims. The City will also retain their third party lien as part of the settlement.

MOTION:

Move to approve/disapprove settlement with James Johnson for \$74,900 (inclusive of attorney's fees and costs) plus \$100 for general release of non-workers' compensation claims.

ATTACHMENT(S):

Fiscal Impact Analysis

