

BEFORE THE OKLAHOMA WORKERS' COMPENSATION COMMISSION

**ORDER FILED
January 31, 2025**

**WORKERS'
COMPENSATION COMMISSION**

JERRY WILSON)	
Claimant)	Commission File No.
)	CM3-2024-04699W
CITY OF NORMAN)	
Employer-Respondent)	Claimant's Social Security
)	Number: xxx-x4-2845
CITY OF NORMAN)	
Insurer)	

ORDER AWARDING PERMANENT PARTIAL DISABILITY BENEFITS

Hearing before Administrative Law Judge MICHAEL T EGAN on January 14, 2025, in OKLAHOMA CITY, Oklahoma.

Claimant appeared by counsel, BRANDON J BURTON.

Respondent and Insurance Carrier appeared by counsel, BRADLEY J MCCLURE.

I. FACTS AND STIPULATIONS

Claimant seeks a finding of compensable work-related injury to the RIGHT RIB(S), LUMBAR SPINE, RIGHT SHOULDER, NECK (occipital nerve), HEAD and LEFT ARM (DISFIGUREMENT) on November 16, 2023 and an award of permanent partial disability therefor. Respondent stipulates to jurisdictional issues and admits compensable work-related injury to the RIGHT RIB(S), LUMBAR SPINE, RIGHT SHOULDER, NECK, HEAD and LEFT ARM (DISFIGUREMENT). The parties are in agreement that rates for temporary total disability and permanent partial disability can be adjudicated at \$986.86 and \$360.00, respectively, and that the accrual date for permanent partial disability is July 25, 2024.

II. FINDINGS AND CONCLUSIONS

The Commission, having considered the evidence and records on file, and being duly advised in the premises, FINDS AND ORDERS AS FOLLOWS:

1. That on November 16, 2023, claimant sustained compensable work-related injury to the RIB(S), LUMBAR SPINE, RIGHT SHOULDER, NECK, HEAD.
2. That claimant's rates for temporary total disability and permanent partial disability are adjudicated at \$986.86 and \$360.00, respectively.
3. That as a result of said injury, claimant has sustained 6% Permanent Partial Disability to the RIB(S), 12% Permanent Partial Disability to the LUMBAR SPINE, 7% Permanent Partial Disability to the RIGHT SHOULDER, 1% Permanent Partial Disability to the NECK and 1% Permanent Partial Disability to the HEAD. At claimant's rate of compensation, this is equal to an award of \$34,992.00, which shall be paid to claimant weekly at the rate of \$360.00 commencing July 25, 2024, until the entire award is paid in full.

4. That disability to the neck is due to occipital nerve injury.
5. As a result of the compensable injury, the Claimant suffered serious and permanent disfigurement to the LEFT ARM for which the Claimant is entitled to benefits pursuant to 85A O.S., §45(F) in the amount of \$750.00, which shall be paid by the Respondent to the Claimant in lump sum. (less attorney fee)
6. That respondent is to authorize return visit to Dr. Jeffrey Miller for determination of Claimant's need for continuing medical maintenance.
7. Maximum attorney fees of 20% of the permanent partial disability benefits are awarded herein, pursuant to 85A O.S., §82.
8. That pursuant to Title 85A O.S., §118, a final award fee of one hundred forty dollars (\$140.00) is taxed as a cost in this matter and shall be paid by respondent to the Workers' Compensation Commission if not previously paid.
9. Pursuant to 40 O.S., §418, the Respondent-Insurer shall pay to the Oklahoma Tax Commission the Special Occupational Health and Safety tax in the amount of \$268.07, representing three-fourths of one percent of the total workers' compensation losses ordered herein, excluding medical payments and temporary total disability compensation.
10. Pursuant to 85A O.S., §122(B)(2), Respondent, if OWN RISK, shall pay a workers' compensation assessment in the amount of \$699.84 to the Oklahoma Tax Commission, representing two percent (2%) of the (permanent disability benefits) herein.
11. Pursuant to 85A O.S. § 31(7), For injuries occurring on or after July 1, 2019, a Multiple Injury Trust Fund assessment in the amount of \$1,049.76, representing (3%) of the Claimant's permanent partial disability award shall be deducted and paid to the Oklahoma Tax Commission by the Respondent.

IT IS SO ORDERED.

DONE this 30th day of JANUARY, 2025.

BY ORDER OF:



MICHAEL T EGAN
ADMINISTRATIVE LAW JUDGE

RM/EButler

A copy of this order was sent by electronic mail or registered mail on this file stamped date to:

Claimant's Attorney:

BRANDON J BURTON
PO BOX 2666
OKLAHOMA CITY, OK 73101-2666

Respondent's Attorney:

JEANNE SNIDER
PO BOX 370
NORMAN, OK 73070

BRADLEY J MCCLURE
1327 N ROBINSON
OKLAHOMA CITY, OK 73103-4848

I do hereby certify that the above and foregoing is a true and correct copy of the original order signed by the Judge herein. Witness by my hand and the official seal of this Commission on this date.



Norma McRae
Commission Clerk
January 31, 2025