



Legislation Details (With Text)

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File created: 7/25/2022 **In control:** City Council

On agenda: 8/9/2022 **Final action:**

Title: Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in making payment on the judgment in the Workers' Compensation case of Matthew McKinney in the Oklahoma Workers' Compensation Commission, Case No. CM3-2019-04512H and CM3-2019-04511A.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution 22-__

Date	Ver.	Action By	Action	Result
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ITEM TITLE:

Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in making payment on the judgment in the Workers' Compensation case of Matthew McKinney in the Oklahoma Workers' Compensation Commission, Case No. CM3-2019-04512H and CM3-2019-04511A.

INITIATOR: Assistant City Attorney, Christopher Hall

STAFF INFORMATION SOURCE: Assistant City Attorney, Christopher Hall

BACKGROUND: This matter involves the Workers' Compensation claim of Matthew McKinney, Firefighter with the Lawton Fire Department, who alleges injury to his lumbar spine (lower back) on July 11, 2019. On July 15, 2022, Administrative Law Judge P Blair McMillin of the Oklahoma Workers' Compensation Commission entered an Order awarding Matthew McKinney fifteen percent (15%) permanent partial disability (over and above the 5% pre-existing disability). The total award was in the amount of \$18,900.00, including \$3,780.00 as attorney's fee, and a \$567.00 Multiple Injury Trust Fund Assessment payment to the Oklahoma Tax Commission. It was the opinion of the City's Workers' Compensation attorney that the award was consistent with the medical evidence and there is no salient basis for an appeal. Due the Workers' Compensation Commission having previously expressed concern regarding cities holding judgments pending review by City Councils, it was the opinion of the City Attorney the judgment should be paid to protect the City's own-risk status.

EXHIBIT: Resolution No. 22-

KEY ISSUES: N/A

FUNDING SOURCE: Sinking Fund

STAFF RECOMMENDED COUNCIL ACTION: Adopt a resolution ratifying the action of the City Attorney and the City Manager in making payment of the judgment in the Oklahoma Workers' Compensation

Commission case of Matthew McKinney, Case No. CM3-2019-04512H and CM3-2019-04511A.