



MEMORANDUM

Council Agenda
Item No. IX. BO
8/16/2022

The City of OKLAHOMA CITY

TO: Mayor and City Council

FROM: Craig Freeman, City Manager

Joint Resolution with the Oklahoma City Municipal Facilities Authority authorizing the Risk Manager and the Trust's legal counsel to enter into a Joint Petition Settlement of the Workers' Compensation Commission Claim No. CM- (to be determined) styled: *Jeanette Hitzeman Heltcel, Claimant vs. The City of Oklahoma City, Respondent*, an Own Risk Carrier, and further authorizing the Municipal Counselor to assist said counsel in the rendition of said Joint Petition Settlement to Judgment as authorized by 85 O.S. §346, 62 O.S. §§365.1 *et seq.* and Article 10, Section 28 of the Oklahoma Constitution.

Background:

The Claimant, Jeanette Hitzeman Heltcel is a 50-year-old female and is a 15-year employee of The City of Oklahoma City. At the time of the injury, she was assigned in the Airports Department as a Municipal Accountant II and continues to be employed by the City.

On January 2, 2019, the Claimant sustained an undisputed accidental injury, to her left elbow, left wrist, right elbow, and right wrist.

The Claimant required surgery to repair her right elbow and right wrist on June 29, 2021.

Claimant was evaluated by Dr. William D. Jones M.D. on behalf of the City and found to have the following permanent partial impairment: 9% to the right arm, 9% to the right hand, 7% to the left arm and 7% to the left hand.

The negotiated Joint Petition Settlement calls for a lump sum of \$25,581.60 for the following permanent partial disability: 9% to the right arm, 9% to the right hand, 7% to the left arm and 7% to the left hand. The settlement includes a payment of \$500, for additional consideration for a full, final, and complete settlement, for a total award of \$26,081.60.

In addition, the City will pay Court costs of \$140, a Special Occupational and Safety Fund tax representing .75% of the permanent partial disability award, shall be paid in the sum of \$195.61 and the Workers' Compensation Administration Fund, representing 2% of the permanent partial disability award, shall be paid in the sum of \$511.63.

This item has been reviewed and approved by the City's contract attorney, Hornbeek, Krah, Vitali, law office located at 3711 North Classen Boulevard, Oklahoma City, Oklahoma 73118.

Permanent Partial Disability Payment ¹	\$25,581.60
Additional Payment ¹	\$500.00
Special Occupational Health and Safety Fund Tax ²	\$195.61
Workers' Compensation Administration Fund ²	\$511.63
Workers' Compensation Court Costs ²	\$140.00
District Court Costs ³	\$161.00
Total Cost of Award	\$27,089.84

Source of Funds:

¹Debt Service-Debt Service-Redemption of Judgments-Debt Service-Judgment (021-0250-9804600-55040007)

²OCMFA Services-Risk/Workers' Compensation-Risk Management MFA-Workers' Comp Claims (682-1451-2800750-52190061)

³General Fund-General Operations-Municipal Counselor-Professional Services Legal (001-0001-0700101-52040001)

Review:

Risk Management

Recommendation: Joint Resolution be adopted.