



MEMORANDUM

Council Agenda
Item No. IX. BF
11/19/2024

The City of OKLAHOMA CITY

TO: Mayor and City Council

FROM: Craig Freeman, City Manager

Joint Resolution with the Oklahoma City Municipal Facilities Authority directing the Director of Risk Management and the Trust's legal counsel not to appeal the Order of the Workers' Compensation Commission Claim No. CM3-2024-01126R, styled: *Daniel Stamey, Claimant vs. The City of Oklahoma City, Respondent*, an Own Risk Carrier, and authorizing payment to the Claimant of permanent partial disability benefits, attorney fees, less an assessment for the Multiple Injury Trust Fund; authorizing payment of costs and fees for the Respondent.

Background:

The Claimant, Daniel Stamey is 27 years old and a 5-year employee of The City of Oklahoma City. At the time of the injury he was assigned to the Police Department as an Officer and continues to be employed by the City.

The Claimant sustained an undisputed accidental injury on June 14, 2023 to his right wrist. The Claimant required surgery to his right wrist on July 17, 2023, and September 7, 2023.

The Claimant was evaluated by Dr. Lance Rosson on behalf of his attorney and found to have the following permanent partial impairment: right wrist 43%. The Claimant was also evaluated by Dr. Calvin Johnson on behalf of the City and found to have the following permanent partial impairment: right wrist 8%. On October 23, 2024, Judge Michael Egan, of the Workers' Compensation Commission, awarded Claimant the following permanent partial disability: right wrist 25%, entitling the Claimant to 55 weeks of compensation at \$360 per week, totaling \$19,800, of which 31 weeks have accrued and shall be paid in a lump sum of \$11,160.

The settlement further calls for a 3% assessment of the PPD award in the sum of \$594 be deducted and paid on behalf of the Claimant for the Multiple Injury Trust Fund Tax, making the lump sum award \$19,206. The Commission further ordered \$3,960 or 20% of the PPD award be deducted from the award and paid in a lump sum to the Claimant's attorney as a fair and reasonable fee. In addition, the City will pay Court costs of \$140, a Special Occupational Health and Safety Tax Fund, representing .75% of the permanent partial disability award in the sum of \$148.50 and the Workers' Compensation Administration Fund, representing 2% of the permanent partial disability award in the sum of \$396.

This item has been reviewed and approved by the City’s contract attorney, Hornbeek, Vitali & Braun, law office located at 3711 North Classen Boulevard, Oklahoma City, Oklahoma 73118 and Claimant’s attorney, Joseph C. Biscone, law office located at 105 North Hudson Avenue, Suite 105, Oklahoma City, Oklahoma 73102.

Permanent Partial Disability Payment ¹	\$19,800.00
Special Occupational Health and Safety Fund Tax ¹	\$148.50
Workers’ Compensation Administration Fund ¹	\$396.00
Workers’ Compensation Court Costs ¹	\$140.00
City’s Total Cost of Award	\$20,484.50

Source of Funds:

¹ RISK/WORKERS COMPENSATION > OCMFA > RISK MANAGEMENT
MFA> WORKER'S COMP CLAIMS (3042-2800750-52190061)

Review:

Risk Management

Recommendation: Joint Resolution be adopted.