

Legislation Details (With Text)

File #: 2022-7508

Type: Consent Item **Status:** Passed

File created: 12/30/2022 **In control:** Board of County Commissioners

On agenda: 1/24/2023 **Final action:** 1/24/2023

Title: Approve the proposed mediated settlement of all workers' compensation claims by a Firefighter, which includes a disputed 2019 presumptive heart disease claim (Claim #1041488); a 2020 hearing loss claim (Claim #1049076); and a 2021 claim with neck and back injuries from a work-related motor vehicle crash (Claim #1051324) for the total amount of \$249,500, inclusive of attorney's fees and costs. (Bill Telkamp, Risk Manager)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Kimmel General Release and Separation Agreement, 2. Kimmel General Release of All Claims

Date	Ver.	Action By	Action	Result
1/24/2023	1	Board of County Commissioners	approve	Pass

Title:

Approve the proposed mediated settlement of all workers' compensation claims by a Firefighter, which includes a disputed 2019 presumptive heart disease claim (Claim #1041488); a 2020 hearing loss claim (Claim #1049076); and a 2021 claim with neck and back injuries from a work-related motor vehicle crash (Claim #1051324) for the total amount of \$249,500, inclusive of attorney's fees and costs. **(Bill Telkamp, Risk Manager)**

Division:

Resource Management - Risk Management

Authorized By:

Lorie Bailey Brown, CFO and Resource Management Director

Contact/Phone Number:

Bill Telkamp, Risk Manager, 407-665-5258

Background:

Claimant is a Seminole County firefighter who has requested, through his attorney, to come to a washout settlement of his workers' compensation claims. A mediated settlement, subject to Board approval, has been negotiated for the total amount of \$249,500, inclusive of attorney's fees of \$62,375 and costs of \$7,125. Under the terms of

the mediated settlement, the claimant agreed to a complete, entire, and final release and waiver of any and all benefits - past, present, and future - that the claimant is, or may be, entitled to under Chapter 440, Florida Statutes, for this claim, and any other claims, causes of action or rights that the claimant may have against Seminole County and to terminate his employment with Seminole County.

Staff Recommendation:

Approve the proposed mediated settlement of all outstanding claims, causes of action, or rights that the claimant has or may have against Seminole County for the total amount of \$249,500, inclusive of attorney's fees and costs, and authorize staff and counsel to execute all necessary settlement documents.