



CITY OF HOLLYWOOD
Inter-Office Memorandum
Office of Labor Relations

DATE: January 10, 2017

FILE: LR17-009

TO: Tammie Hechler, Director
Human Resources

FROM: Tanya Bouloy, Risk Management Analyst 

SUBJECT: Proposed Workers' Compensation Settlement – Carl Puskarcik

ISSUE:

Authorization to negotiate a global settlement of Carl Puskarcik's workers' compensation claims pertaining to work related injuries that occurred on September 7, 2007 & November 20, 2013.

EXPLANATION:

On September 7, 2007, Mr. Puskarcik injured his left knee during his morning workout as a Marine Safety Officer. The injury was found to be compensable and he has continued to treat the injury conservatively. While his doctor has recommended knee replacement surgery, Mr. Puskarcik has chosen not to undergo the surgery. Petitions of Benefits have been filed on this claim throughout the years.

On November 20, 2013, Mr. Puskarcik then injured his left knee when he slipped and fell on the ramp of his lifeguard station. This injury was also found to be compensable and he continues to treat injury conservatively as well. Petitions of Benefits have been filed on this claim throughout the years.

On April 8, 2015, Mr. Puskarcik filed a workers' compensation claim for a melanoma diagnosis. This injury was denied as personal in nature. A Petitions of Benefit was filed on this claim but has since been withdrawn.

Mr. Mr. Puskarcik worked for the City until he reached normal retirement.

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An MSA was conducted, submitted & approved by CMS in the amount of \$93,895.00. The MSA takes into account the possibility of a knee replacement surgery as well as prescription costs. There is also potential exposure if he decides to further litigate the denial of the melanoma.

The City's workers' compensation attorney, Andrew Borah, has indicated that the best course of action would be to settle Mr. Puskarcik's claims. Mr. Borah believes that for \$125,000.00 (inclusive of the MSA, attorney fees, costs, a global release and that the claimant cannot treat his work related conditions under the retiree health insurance) that he can reach a global settlement with the claimant..

RECOMMENDATION:

Based on the aforementioned, I recommend this office enter an agenda item requesting that the City authorize an amount not to exceed \$125,000.00 pursuant to Section 41.05(B)(3) of the City Code.

Thank you for your attention to this matter. If you would like to discuss this further, please call me at extension 3505.

Approved TCH
1-10-17