



Legislation Details (With Text)

File #: R-2016-159 **Version:** 1 **Name:** Paul Ingram W/C Lien Settlement
Type: Resolution **Status:** Passed
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On agenda: 6/1/2016 **Final action:** 6/1/2016
Title: A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Approve A Settlement Of A Workers' Compensation Lien Between The City Hollywood And Paul Ingram In The Amount Of \$9,000.00.

Sponsors:

Indexes:

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Attachments: 1. R-2016 Resolution Paul Ingram's DOI 010214 Workers' Compensation Settlement Agreement.pdf,
2. BIS 16-184.pdf

Date	Ver.	Action By	Action	Result
6/1/2016	1	Regular City Commission Meeting	adopt	Pass

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Approve A Settlement Of A Workers' Compensation Lien Between The City Hollywood And Paul Ingram In The Amount Of \$9,000.00.

Staff Recommends: Approval of the attached Resolution

Explanation:

On January 2, 2014, Police Officer Paul Ingram was injured in an automobile accident while on duty. In addition to making claims for workers' compensation benefits, Officer Ingram made claims against the parties who allegedly caused the accident.

As a result of this accident, the City has provided workers' compensation benefits to Officer Ingram in the amount of \$38,046.16, and by state law, the City has a lien in that amount against any amount recovered by Officer Ingram from his third party claim. Officer Ingram has settled his third party claim for an amount that is less than the full amount of damages he allegedly suffered as a result of the accident.

Florida courts have ruled that notwithstanding the technical amount of an employer's workers' compensation lien, the amount to which the employer is actually entitled is reduced proportionately if the employee settles for less than the full amount of damages he or she suffers as a result of the accident. The City's workers' compensation attorney has negotiated a lien settlement in the amount of \$9,000.00, which he has advised is consistent with the

typical settlement of a workers' compensation lien. Under Section 38.76 (D) (20) of the Code of Ordinances, when a City lien other than a code enforcement lien is being waived, in whole or in part, and the amount being waived exceeds \$25,000.00, City Commission approval is required.

Recommended for inclusion on the agenda by:

Dr. Wazir Ishmael, City Manager

George Keller, Assistant City Manager/Finance & Administration

Raquel Elejabarrieta, Director of Labor Relations