# BEFORE THE OKLAHOMA WORKERS' COMPENSATION COMMISSION FILED

WORKERS' COMPENSATION COMMISSION
STATE OF OKLAHOMA
June 27, 2019
Norma McRae
COMMISSION CLERK
Commission File No.
CM-2018-00235R

KYLE L BERNHARDT

Employee-Claimant

CITY OF NORMAN

Employer-Respondent

CITY OF NORMAN (OWN RISK #10970)

Insurer

Norma McRae COMMISSION CLE

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## ORDER AWARDING PERMANENT PARTIAL DISABILITY

Hearing before Administrative Law Judge T SHANE CURTIN on JUNE 24, 2019, in Oklahoma City, Oklahoma.

Claimant appeared by counsel, JEFFREY M COOPER.

Respondent and insurance carrier appeared by counsel, JEANNE SNIDER.

### I. FACTS AND STIPULATIONS

Claimant seeks a finding of compensable work-related injury to the BACK on November 24, 2017 and an award of permanent partial disability therefor. Respondent stipulates to jurisdictional issues and admits compensable work-related injury to the BACK. The parties are in agreement that rate for permanent partial disability can be adjudicated at \$323.00 and that the accrual date for permanent partial disability is June 19, 2018.

#### II. FINDINGS AND CONCLUSIONS

The Commission, having considered the evidence and records on file, and being duly advised in the premises, FINDS AND ORDERS AS FOLLOWS:

- 1. That on November 24, 2017, Claimant sustained compensable work-related injury to the BACK.
- 2. That claimant's rate for permanent partial disability is adjudicated at \$323.00.
- 3. That as a result of said injury, Claimant has sustained 15% permanent partial disability to the BACK. At claimant's rate of compensation, this is equal to an award of \$16,957.50, which shall be paid to claimant weekly at the rate of \$323.00 commencing June 19, 2018, until the entire award is paid.
- 4. That claimant's attorney is entitled to an attorney's fee of not more than 20% of the permanent partial disability awarded herein.

- 5. Pursuant to 40 O.S., §418, the Respondent-Insurer shall pay to the Oklahoma Tax Commission the Special Occupational Health and Safety tax in the amount of \$127.18, representing three-fourths of one percent of the total workers' compensation losses ordered herein, excluding medical payments and temporary total disability compensation.
- 6. Pursuant to 85A O.S., §122(B)(2), Respondent, if OWN RISK, shall pay a workers' compensation assessment in the amount of \$339.15 to the Oklahoma Tax Commission, representing two percent (2%) of the permanent disability awarded herein
- 7. Pursuant to 85A O.S, §118(A), a final award fee of One Hundred Forty Dollars (\$140.00) is taxed as costs in this matter, and, unless previously paid, shall be paid by the Respondent to the Workers' Compensation Commission.

### IT IS SO ORDERED.

DONE this 24th day of JUNE, 2019.

BY ORDER OF:

T SHANE CURTIN

ADMINISTRATIVE LAW JUDGE

181 A. Stane Centin

lw/SCox

A copy of the above and foregoing Commission Order was mailed, by regular or certified United States Mail, on this filed stamped date to:

Claimant's Attorney:

JEFFREY M COOPER

415 NW 11TH STREET OKLAHOMA CITY, OK 73103-

Respondent's Attorney: JEANNE SNIDER

PO BOX 370

NORMAN, OK 73070-

I do hereby certify that the above and foregoing is a true and correct copy of the original order signed by the Judge herein. Witness by my hand and the official seal of this Commission on this date.

Norma McRae Commission Clerk

June 27, 2019