Revision to ASR and/or Exhibits/Attachments

Date: **May 31, 2007**

To: **Darlene J. Bloom, Clerk of the Board of Supervisors**

CC: **County Executive Office**

From: **Thomas L. Beckett, CEO/Office of Risk Management**

RE: **Agenda Item(s) # 44 for the June 5, 2007 Board Meeting**

ASR Control #(s): 07-001306

Subject: Additional information regarding settlement of workers' compensation claims

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Explanation:

☐ Revised Recommended Action(s)

☐ Make modifications to the:

☐ Subject ☐ Background Information ☐ Summary

☒ Revised Exhibits/Attachments (attached)

☐ Additional Information and/or Correspondence (attached)

Attached is the Resolution with revised language regarding settlement of workers' compensation claims.

RESOLUTION OF THE BOARD OF SUPERVISORS OF

ORANGE COUNTY, CALIFORNIA

June 5, 2007

On motion of Supervisor , duly seconded and carried, the following Resolution was adopted:

WHEREAS, Resolution No. 92-335 dated April 7, 1992, authorized the County Administrative Officer or his designee to settle claims not exceeding $50,000 and established a Claims Settlement Committee to settle claims over $50,000; and

WHERAS, Resolution No. 99-344, dated August 17, 1999, designated the Board of Supervisors as the sole authority on liability and workers' compensation claims settlements of $50,000 and above and designated the Liability and Workers' Compensation Claims Settlement Committees as advisory committees to the Board; and

WHEREAS, Resolution No. 00-202, dated June 20, 2000, disbanded the Claims Settlement Committees while continuing to delegate to County's Risk Manager the authority to settle liability and workers' compensation claims less than $50,000 and continuing the role of the Board of Supervisors as the sole authority to settle liability and workers' compensation claims greater than $50,000; and

WHEREAS, the California Labor Code and the State Division of Workers' Compensation establish the requirements for acceptance of workers' compensation claims and the provision of required benefits; and

WHEREAS, the Workers' Compensation Act, California Labor Code section 3202 encourages settlement of workers' compensation claims; and

WHEREAS, the amount of a workers' compensation claim settlement frequently exceeds $50,000 due in part to the inclusion therein of payments for permanent disability benefits and medical expenses already made as required pursuant to California Labor Code sections 4600 and 4650;

NOW, THEREFORE, BE IT RESOLVED that this Board authorizes the County's Risk Manager, with the concurrence of County Counsel, to settle workers' compensation claims that are less than $100,000 exclusive of any statutorily required payments under the Workers' Compensation Act.

BE IT FURTHER RESOLVED that, effective immediately upon adoption, this resolution supersedes the portions of Resolution No. 00-202 relating to the settlement of workers' compensation claims.