



Revision to ASR and/or Exhibits/Attachments

Date: March 26, 2007

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

CC: County Executive Office

From: Laurie Browning, Workers' Compensation Program Manager *LB* *AB*

RE: Agenda Item(s) # 61 for the March 27 Board Meeting

ASR Control #(s): 07-400

Subject: Settlement procedures for Workers' Compensation Claims

07 MAR 25 PM 3:17
RECEIVED
CLERK OF THE BOARD
OF SUPERVISORS

Explanation:

Revised Recommended Action(s)

Adopt Resolution revising the workers' compensation claims settlement procedures to authorize CEO/Risk Management to settle workers' compensation claims where Risk Management and County Counsel concur, and where the settlement amount is less than \$100,000, excluding statutorily required payments pursuant to the Labor Code.

Make modifications to the:

Subject Background Information Summary

Revised Exhibits/Attachments (attached)

Revised Resolution

Additional Information and/or Correspondence (attached)

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2
3 RESOLUTION OF THE BOARD OF SUPERVISORS OF
4 ORANGE COUNTY, CALIFORNIA

5 March 27, 2007
6

7 On motion of Supervisor , duly seconded and carried, the following

8 Resolution was adopted:

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

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

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

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

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

25 WHEREAS, the amount of a workers' compensation claim settlement frequently exceeds
26 \$50,000 due in part to the inclusion therein of statutorily required payments for permanent disability
27 benefits and medical expenses pursuant to California Labor Code sections 4600 and 4650;

1 NOW, THEREFORE, BE IT RESOLVED that this Board authorizes the County's Risk Manager
2 to settle workers' compensation claims where Risk Management and County Counsel concur, and where
3 the settlement amounts are less than \$100,000 exclusive of any statutorily required payments under the
4 Workers' Compensation Act.

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

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