



## MEMORANDUM TO VENICE CITY COUNCIL

**THROUGH CHARTER OFFICER:** Edward Lavallee, City Manager

**E-SIGN:**   
Edward Lavallee (Aug 4, 2023 10:05 EDT)

**FROM:** Alan Bullock, HR Director

**DEPARTMENT:** Human Resources

**DATE:** August 2, 2023

**MEETING DATE:** August 22, 2023

**SUBJECT / TOPIC:** Proposed Workers' Compensation Claim Settlement for ex-Employee Joe Szejc

**BACKGROUND INFORMATION:** Joe Szejc was employed by the City of Venice from October, 2005 to October, 2020 as a Utilities Operations Supervisor. In April of 2020, he filed a Workers' Compensation claim after suffering an injury at work. Even though Mr. Szejc no longer works for the city, the city's obligation regarding his Workers' Compensation claim continues. Following successful completion of negotiations, we are requesting Council approval of a settlement (Council approval is necessary since the city is self-insured for Workers' Compensation). It is our assessment that it is more cost-effective for the city to settle the claim now rather than keep it open ad infinitum. Without this settlement, this case could develop into one with significant risk exposure. The proposed settlement amount is \$15,000 to the claimant in exchange for a release of all Workers' Compensation claims. Our standard request in proposed settlements of this nature is for a written evaluation and recommendation from both the assigned defense counsel and the assigned adjuster. Both are attached for your review.

**SUPPORTS STRATEGIC PLAN:** Goal Three: Ensure a Fiscally Sound City

**COUNCIL ACTION REQUESTED:** For Council Adoption by Consent Motion

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Yes	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Document(s) Reviewed for ADA compliance (required if for agenda posting)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	City Attorney Reviewed/Approval
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Risk Management Review
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Finance Department Review/Approval
		Funds Availability (account number): 502-0421-595.23-03

**From:** [Mark Hungate](#)  
**To:** [Alan Bullock](#)  
**Cc:** [karroyo@crm-su.com](mailto:karroyo@crm-su.com)  
**Subject:** Joseph Szejc v. City of Venice/CRM  
**Date:** Wednesday, August 2, 2023 3:25:26 PM  
**Importance:** High

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Alan –

This will confirm the parties have agreed to settle this workers' compensation claim for a total of \$15,000 inclusive of all attorney's fees, costs, and child support arrearage, if any, contingent on City Council approval. This settlement includes any and all dates of accident/injuries arising during Mr. Szejc's employment with/at City of Venice. This memo is being submitted to assist your presentation to City Council to obtain settlement approval.

On April 10, 2020, Mr. Szejc fell at work. Several months before his work accident, Mr. Szejc had undergone a joint replacement surgery. His work accident fall damaged this pre-existing joint replacement surgery which necessitated another replacement surgery. Mr. Szejc retired from the City in October 2020. He is a month shy of age 72 years old but appears in good health other than this work injury.

While the work-related replacement was mostly successful, the surgeries accelerated degenerative changes causing Mr. Szejc to develop chronic joint pain which at present requires only non-invasive injections and medications but it will progress and may require another replacement of the injured joint in the future. It is also reasonably predictable that the opposite side joint will be adversely affected and require conservative medical treatment and/or replacement as well. The original work-related joint replacement cost approximately \$75K all in including surgical treatment, prescription drugs, rehab/follow-up and lost wages during his recovery which gives the Council a rough estimate of the potential future exposure if the case is not settled.

Based on a cost/benefit analysis, as your WC counsel, I recommend that City Council approve this settlement as being in the best fiscal interests of the City. Please advise if you have any questions. Thanks.

Mark E. Hungate, Esq.  
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St. Petersburg, FL 33701  
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**From:** [Keyla Arroyo](#)  
**To:** [Alan Bullock](#)  
**Subject:** 28260035 | JOSEPH SZEJK | DOI: 4/10/2020 | 280 CITY OF VENICE  
**Date:** Wednesday, August 2, 2023 4:33:13 PM

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Hi Alan,

Defense is currently working on settling this claim for \$15, 000 inclusive. - *This will include any and all dates of accidents.*-

Summary:

Mr. Szejek had a compensable work-related fall on 4/10/20. Due to this injury, he required a second joint replacement surgery. (*the first being personal and prior to the WC injury*)

He was given a 6% permanent impairment rating on 2/14/23 and may require another joint replacement in the future. He continues to treat for pain in the form of injections.

Considering that we have now completed the Impairment Benefit payments, Mr. Szejek is retired, and we have an exposure for a future joint replacement, I recommend we proceed with the settlement. Please let me know if you have any questions.

Thank you!

**Keyla Arroyo, CWC**  
**Commercial Risk Management, Inc.**

Senior Claims Specialist

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**Signature:** *Linda Senne*

**Email:** LSenne@venicefl.gov

**Signature:** 

[Kelly Fernandez](#) (Aug 4, 2023 09:03 EDT)

**Email:** kfernandez@flgovlaw.com











# COUNCIL AGENDA ITEM MEMORANDUM Joe Szejc WC settlement

Final Audit Report

2023-08-04

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