

**BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICT NO. 508
COUNTY OF COOK AND STATE OF ILLINOIS**

RESOLUTION

**AUTHORIZE PAYMENT OF
ILLINOIS WORKERS' COMPENSATION COMMISSION AWARD**

PATRICIA EHARDT (WIDOW OF JOSEPH W. EHARDT)

v.

**CITY COLLEGES OF CHICAGO
KENNEDY-KING COLLEGE, DAWSON TECHNICAL INSTITUTE**

WHEREAS Patricia Ehardt, Widow of Joseph W. Ehardt, and the City Colleges of Chicago have been in litigation before the Illinois Workers' Compensation Commission (IWCC) in Case No. 97 WC 15733; and

WHEREAS the Illinois Workers' Compensation Commission Arbitrator rendered an initial Decision in favor of City Colleges of Chicago; and

WHEREAS the Petitioner appealed the Decision of the Arbitrator on April 18, 2003 to prove that the decedent sustained accidental injuries arising out of and in the course of his employment on July 22, 1994; and

WHEREAS the Illinois Workers' Compensation Commission reversed the Decision of Arbitrator on March 17, 2004, thus ordering City Colleges of Chicago to provide payment for Burial Expense, Medical Expense, and ongoing Death Benefits to the Petitioner; and

WHEREAS City Colleges of Chicago filed an Appeal in the Circuit Court of Cook County to vacate the Commission's decision which was denied; and

WHEREAS City Colleges of Chicago then filed an Appeal before the First District Appellate Court of Illinois and on March 2, 2007 received Notice that the Court upheld the Decision of the Illinois Workers' Compensation Commission thus finding against City Colleges of Chicago; and

WHEREAS City Colleges of Chicago has exhausted all remedies of the Court; and

WHEREAS the Office of the General Counsel, the Office of Risk Management and outside counsel have reviewed all proceedings and therefore recommend payment of the IWCC Award on an immediate basis thus avoiding the potential for significant IWCC penalties and additional interest; and

WHEREAS the Chancellor recommends payment of this Illinois Workers' Compensation Commission Award;

NOW THEREFORE BE IT RESOLVED, that the Chairman of the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois, due to exigent circumstances (potential penalties) has pre-approved an IWCC Award payment to Patricia Ehardt (via counsel) together with continuing benefits as prescribed by Illinois Statutes associated with Case No. 97 WC 15733 subject to ratification by the Board and that the Board of Trustees hereby ratifies this payment.

April 12, 2007