

STATE OF ILLINOIS)
) SS.
COUNTY OF MADISON)

<input type="checkbox"/>	Injured Workers' Benefit Fund (§4(d))
<input type="checkbox"/>	Rate Adjustment Fund (§8(g))
<input type="checkbox"/>	Second Injury Fund (§8(e)18)
<input type="checkbox"/>	PTD/Fatal denied
<input checked="" type="checkbox"/>	None of the above

BEFORE THE ILLINOIS WORKERS' COMPENSATION COMMISSION

Barbara Edelen,
Petitioner,

vs.

NO: 07WC 41763

Olin Corporation,
Respondent,

09IWCC0943

DECISION AND OPINION ON REVIEW

Timely Petition for Review having been filed by the Respondent herein and notice given to all parties, the Commission, after considering the issues of causal connection, nature and extent, and being advised of the facts and law, affirms and adopts the Decision of the Arbitrator, which is attached hereto and made a part hereof.

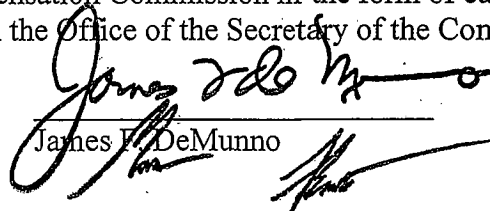
IT IS THEREFORE ORDERED BY THE COMMISSION that the Decision of the Arbitrator filed July 15, 2008 is hereby affirmed and adopted.

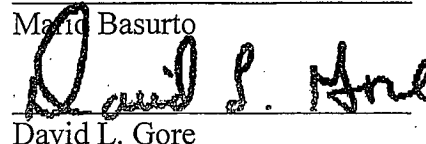
IT IS FURTHER ORDERED BY THE COMMISSION that the Respondent pay to Petitioner interest under §19(n) of the Act, if any.

IT IS FURTHER ORDERED BY THE COMMISSION that the Respondent shall have credit for all amounts paid, if any, to or on behalf of the Petitioner on account of said accidental injury.

Bond for removal of this cause to the Circuit Court by Respondent is hereby fixed at the sum of \$75,000.00. The probable cost of the record to be filed as return to Summons is the sum of \$35.00, payable to the Illinois Workers' Compensation Commission in the form of cash, check or money order therefor and deposited with the Office of the Secretary of the Commission.

DATED: SEP 23 2009
o091709
JFD/jrc
052


James P. DeMunno


David L. Gore

NOTICE OF ARBITRATOR DECISION
CORRECTED

EDELEN, BARBARA

Employee/Petitioner

Case# **07WC041763**

09IWCC0943

OLIN CORPORATION

Employer/Respondent

On 07/15/2008, an arbitration decision on this case was filed with the Illinois Workers' Compensation Commission in Chicago, a copy of which is enclosed.

If the Commission reviews this award, interest of 1.95% shall accrue from the date listed above to the day before the date of payment; however, if an employee's appeal results in either no change or a decrease in this award, interest shall not accrue.

A copy of this decision is mailed to the following parties:

HOEFERT, JOSEPH E
JOSEPH E HOEFERT, ATTY AT LAW
1600 WASHINGTON AVE
ALTON, IL 62002

0299 KEEFE & DEPAULI
2 EXECUTIVE DR
FAIRVIEW HTS, IL 62208

AJUN UOQUIN, JR
300 N STATE ST
SUITE 4124
CHICAGO, IL 60610

ILLINOIS WORKERS' COMPENSATION COMMISSION
CORRECTED ARBITRATION DECISION
REGARDING THE NATURE AND EXTENT OF THE INJURY

Barbara Edelen

Employee/Petitioner

Case # 07 WC 41763

v.

Collinsville

Olin Corporation

Employer/Respondent

An *Application for Adjustment of Claim* was filed in this matter, and a *Notice of Hearing* was mailed to each party. The matter was heard by the Honorable **Andrew Nalefski**, arbitrator of the Commission, in the city of **Collinsville**, on **5/28/08**.

The only disputed issue is the nature and extent of the injury. By stipulation, the parties agree on the following items:

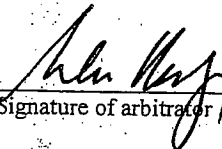
- On **8/16/07**, the respondent **Olin Corporation** was operating under and subject to the provisions of the Act.
- On this date, the relationship of employee and employer did exist between the petitioner and respondent.
- On this date, the petitioner sustained accidental injuries that arose out of and in the course of employment.
- Timely notice of this accident was given to the respondent.
- In the year preceding the injury, the petitioner earned \$ **40,259.44**, and the average weekly wage was \$ **774.22**.
- At the time of injury, the petitioner was **60** years of age, *married* with **1** children under 18.
- Necessary medical services have been provided by the respondent.
- The respondent shall pay the petitioner temporary total disability benefits of \$ **516.15**/week for **9** weeks, from **12/17/07** through **2/17/08**, which is the period of temporary total disability for which compensation is payable.
- To date, \$ **4,645.35** has been paid for TTD and/or maintenance benefits.

After reviewing all of the evidence presented, the arbitrator hereby makes findings regarding the nature and extent of the injury, and attaches the findings to this document.

- The respondent shall pay the petitioner the sum of \$ 464.53/week for a further period of 193.45 weeks, as provided in Section 8(e) of the Act, because the injuries sustained caused permanent partial disability to the right hand to the extent of 22 1/2%, to the left hand to the extent of 22 1/2%, the left arm to the extent of 20% and to the right arm to the extent of 20% thereof.
- The respondent shall pay the petitioner compensation that has accrued from 8/16/07 through 5/28/08 and shall pay the remainder of the award, if any, in weekly payments.
- The respondent shall pay \$ 12,517.17 subject to the fee schedule with credit to Respondent for amounts paid for medical services, as provided in Section 8(a) of the Act.

RULES REGARDING APPEALS Unless a Petition for Review is filed within 30 days after receipt of this decision, and a review is perfected in accordance with the Act and Rules, then this decision shall be entered as the decision of the Commission.

STATEMENT OF INTEREST RATE If this award is reviewed by the Commission, interest of 1.95 % shall accrue from the date listed below to the day before the date of payment; however, if an employee's appeal results in either no change or a decrease in this award, interest shall not accrue.



Signature of arbitrator

7/7/08

Date

JUL 15 2008

Edelen v. Olin Corporation
07 WC 41763

The Arbitrator finds the following facts;

Petitioner worked as a loader/packer of munitions for 9 years. She was diagnosed with bilateral carpal tunnel syndrome and bilateral cubital tunnel syndrome. She treated with Dr. Dehghan, a hand surgeon. Dr. Dehghan performed a right carpal tunnel release, a right Guyon's canal release at the wrist and a right cubital tunnel release at the elbow on 12/17/07. He did the same procedures on the left side on 1/10/08. Petitioner last saw Dr. Dehghan on 2/6/08. At that time he reported that the numbness and tingling in all of her upper extremity digits had resolved. She had tenderness over the scars. She was released without restriction.

Petitioner testified that she resumed her regular job. She has worked full duty including overtime without restriction and she is able to do all aspects of her job. She has not seen a doctor for her hands/elbows since returning to work. She testified to some weakness in her hands and elbows which cause her difficulty performing various tasks, such as lifting and pulling.

She was off work from 12/17/07 to 2/17/08. The parties agreed that all TTD benefits were paid. Petitioner submitted medical bills and out of pocket medical expenses totaling \$12,517.17. Respondent indicated that it has paid or is in the process of paying the medical bills.

Therefore the arbitrator concludes;

1. Petitioner has permanent partial disability to the extent of 22 1/2% loss of each hand for the bilateral carpal tunnel and Guyon's canal syndrome and 20% loss of each arm for the bilateral cubital tunnel syndrome.
2. The medical bills are awarded subject to the statutory fee schedule with Respondent entitled to credit for amounts paid.