

05WC 51475

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STATE OF ILLINOIS )  
                         ) SS  
COUNTY OF MADISON)

BEFORE THE ILLINOIS WORKERS' COMPENSATION  
COMMISSION

Ron Rulo,  
Petitioner,

**07IWCC1321**

vs.

NO. 05WC 51475

Olin Corporation,  
Respondent.

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 issue of nature and extent of Petitioner's disability 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.

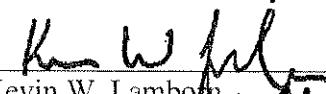
IT IS THEREFORE ORDERED BY THE COMMISSION that the Decision of the Arbitrator filed March 19, 2007 is hereby affirmed and adopted.

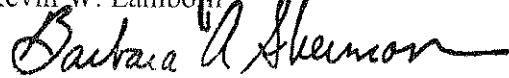
IT IS FURTHER ORDERED BY THE COMMISSION that the Respondent pay to Petitioner interest under §19(n) of the Act, if any.

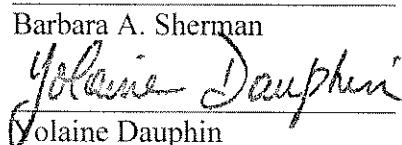
IT IS FURTHER ORDERED BY THE COMMISSION that the Respondent shall have credit for all amounts paid, if any, to or on behalf of the Petitioner on account of said accidental injury.

Bond for removal of this cause to the Circuit Court by Respondent is hereby fixed at the sum of \$73,800.00. 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: OCT 12 2007  
KWL/vf  
o-10/10/07  
42

  
Kevin W. Lamborn

  
Barbara A. Sherman

  
Volaine Dauphin

ILLINOIS WORKERS' COMPENSATION COMMISSION  
NOTICE DECISION OF ARBITRATOR

Ron Rulo  
Employee/Petitioner

Case # 05 WC 51475  
**07IWCC1321**

v.

Dlin Corporation  
Employer/Respondent

On Mar 19, 2007, an arbitration decision on this case was filed with the Illinois Workers' Compensation Commission in Chicago, a copy of which is enclosed.

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

44 1580 05 WC 51475  
BECKER & GALANTI  
3673 HIGHWAY 111  
PO BOX 488  
GRANITE CITY, IL 62040

45 0299 05 WC 51475  
KEEFE & DEPAULI  
2 EXECUTIVE DR  
FAIRVIEW HTS, IL 62208

STATE OF ILLINOIS )  
COUNTY OF Madison )

ILLINOIS WORKERS' COMPENSATION COMMISSION  
ARBITRATION DECISION  
REGARDING THE NATURE AND EXTENT OF THE INJURY  
**07 IWCC 1321**

**RON RULO**  
Employee/Petitioner

v.

Case # **05 WC 51475**

**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 Workers Compensation Commission, in the city of Collinsville, on 3/1/07.

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

- On 09/07/05, 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 \$ 52,506.48, and the average weekly wage was \$ 1,009.62.
- At the time of injury, the petitioner was 53 years of age, *married*, with 0 child under 18.
- Necessary medical services have been provided by the respondent.
- The Respondent shall pay the petitioner temporary total benefits of \$ 673.15 / week for 17-5/7 weeks, from 11/8/05 through 1/11/06, and from 1/30/06 through 3/30/06, which is the period of temporary total disability for which compensation is payable.
- To date, \$ 4,250.74 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.

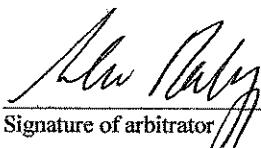
# 07 IWCC 1321

## ORDER

- The respondent shall pay the petitioner the sum of \$ 567.87 /week for a further period of 137.25 weeks, provided in Section 8(e) of the Act, because the injuries sustained caused 22 ½ % loss of use of the left hand 25% loss of use of the right hand and 20% loss of use of the right arm.
- The respondent shall pay the petitioner the compensation that has accrued from 3/30/06 through 2/27/07.
- The respondent shall pay \$ -0- 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, 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 4.92% 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

3/13/07  
Date

ICArbDecN&E p.2

MAR 19 2007

**07IWCC1321**

**RONALD RULO V. OLIN CORPORATION  
05 WC 51475**

**The Arbitrator finds the following facts;**

Petitioner's repetitive work activities and job duties, in particular the last 15 years as a Brite anneal operator, involved intensive use of his hands and arms. Petitioner has worked for Respondent for 34 years. He developed bilateral carpal tunnel, bilateral ulnar nerve compression at the wrist, and a right cubital tunnel syndrome at the elbow. Causation was not disputed. Petitioner is right hand dominant.

On 11/8/05 Dr. Susan MacKinnon performed surgery consisting of a right carpal tunnel release, a release of the ulnar nerve at Guyon's canal at the wrist and a seromuscular transfer of the right ulnar nerve in the forearm.

On 1/30/06 Dr. Mackinnon performed surgery on the left upper extremity consisting of a left carpal tunnel release and a left Guyon's canal decompression.

As a result of these surgeries Petitioner was off work from 11/8/06 through 1/11/06 and from 1/30/06 through 3/30/06.

On 3/13/06 Dr. Mackinnon noted Petitioner was doing well and returned him to full duty work without restrictions. He was to return on an as-needed basis and had not returned.

At arbitration, Petitioner testified of decreased strength and occasional numbness and tingling in his right hand and arm. He testified of decreased strength in his left hand, although less than in his right hand.

**Therefore the Arbitrator concludes;**

1. Petitioner is entitled to TTD benefits from 11/8/05 through 1/11/06 and from 1/30/06 through 3/30/06, a period of 17 5/7 weeks. Respondent is entitled to credit for amounts previously paid.
2. As a result of his injuries Petitioner has sustained the loss of 25% of the right hand, 22 1/2% of the left hand and 20% loss of the right arm.