

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

NATHAN RICHARDS,

Claimant,

vs.

PEPSI BEVERAGES COMPANY,

Employer,

and

OLD REPUBLIC INSURANCE,

Insurance Carrier,
Defendants.

File No. 5045018

APPEAL
DECISION

FILED

MAR 11 2015

WORKERS' COMPENSATION

Head Note Nos: 1803; 1804; 2501;
2701; 2907; 4100

Claimant, Nathan Richards, appeals from an arbitration decision filed on April 7, 2014. Defendants, Pepsi Beverages Company, employer, and Old Republic Insurance, workers' compensation insurer, do not cross-appeal. The case was heard on January 27, 2014, and was considered fully submitted on March 12, 2014, in front of Deputy Workers' Compensation Commissioner William H. Grell. The deputy commissioner awarded claimant a 60 percent industrial disability. Claimant asserts on appeal that the deputy commissioner erred in not finding claimant permanently and totally disabled. The detailed arguments of the parties have been considered and the record of evidence has been reviewed de novo.

Pursuant to Iowa Code sections 86.24 and 17A.5, I affirm and adopt as the final agency decision those portions of the proposed arbitration decision filed on April 7, 2014, that relate to the issues properly raised on intra-agency appeal without additional comment.

ORDER

IT IS THEREFORE ORDERED that the arbitration decision of April 7, 2014, is AFFIRMED.

Claimant shall pay the costs of the appeal, including the preparation of the hearing transcript.

Signed and filed this 11th day of March, 2015.



ERIN Q. PALS
DEPUTY WORKERS' COMPENSATION
COMMISSIONER

Copies To:

Harry W. Dahl
Attorney at Law
974 73rd Street, Suite 16
Des Moines, IA 50312-1090
harrywdahl@msn.com

Terrence M. Donohue
Attorney at Law
33 N. Dearborn, Suite 1825
Chicago, IL 60602
tdonohue@inmanfitzgibbons.com