

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

LARRY STONE,	:	FILED
Claimant,	:	JUL 13 2015
vs.	:	WORKERS' COMPENSATION
PAR ELECTRICAL CONTRACTORS,	:	File No. 5043729
Employer,	:	APPEAL
and	:	DECISION
OLD REPUBLIC INSURANCE,	:	
Insurance Carrier,	:	Head Note No.: 1801
Defendants.	:	

Defendants, Par Electrical Contractors and Old Republic Insurance, appeal from an arbitration decision filed on July 24, 2014. Claimant, Larry Stone, did not cross-appeal. The case was heard on May 6, 2014, and was considered fully submitted on May 6, 2014. The deputy commissioner awarded claimant a 40 percent industrial disability and assessed a \$6,000 penalty against defendants. Defendants assert on appeal that the deputy commissioner's award of 40 percent industrial disability was excessive and award of a penalty was erroneous. On June 10, 2015, the case was delegated to the undersigned to issue the final agency decision of the intra-agency appeal. 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 July 24, 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 July 24, 2014, is AFFIRMED.

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

Signed and filed this 13th day of July, 2015.



ERIN Q. PALS
DEPUTY WORKERS' COMPENSATION
COMMISSIONER

Copies to:

David D. Drake
Attorney at Law
1415 Grand Avenue
West Des Moines, IA 50265
ddrake@lidd.net

Christopher A. Sievers
Attorney at Law
8712 W Dodge Rd., Ste. 401
Omaha, NE 68114
CSievers@tgplaw.com