

INTER-OFFICE LETTER

FROM #18 Oakland

OFFICE Employee Relations DEPT.

FOR Cleveland

OFFICE Insurance DATE October 17, 1973

MR. R. J. Malone

SUBJECT

Redacted

REFER TO LETTER OF

DICTATED BY

The enclosed report was received October 15 on this case. The reason filed throws me as he received Company Disability Benefits from November 16, 1972 to March 26, 1973 for \$826.32 net plus California State Disability Benefits of approximately \$1,530.

His first absence was from November 14, 1972 through November 19. He returned to work November 20, 21 and 22 but failed to report for work the Monday following the Thanksgiving holidays, November 27.

Redacted The original problem was accepted by Kaiser. At the time of his second absence, filed for State Disability Benefits and apparently indicated on his application it was nonindustrial as he drew benefits. On our report form to State Disability (see #8) we indicated nonindustrial. On his January 25 report Dr. Stetner indicated the condition was industrial. Kaiser is now attempting to subrogate and has also filed with the Industrial Accident Commission.

To refresh your memory on this case, when we first realized that this case was being considered industrial, I called Liberty Mutual and directed that a competent insurance physician review all the records at Kaiser and evaluate himself. Before this evaluation was recorded with Liberty, the doctor died in a car accident.

Redacted

We tried to get Liberty to get into the physician's office to record the findings from the doctor's notes and up to August 22 were not successful in getting any action.

On August 22 R. R. Bruhn and I sat down with Liberty Mutual and discussed a variety of problems connected with this claim. We requested immediate and full attention be given this particular claim. Unfortunately for the fourth time the cause of inattention by Liberty Mutual was not known to us; however, Mr. McCarthy, the latest claims adjuster assigned to us, resigned on October 12, 1973. Evidently his inattention to this matter was related to his internal problem.

We have been on record on several occasions that our account has been mishandled, both here and in the Container Division. It is still my feeling our account will continue to flounder until Liberty Mutual stabilizes our account representative; meanwhile we have paid dearly for their lack of attention to the Sherwin-Williams Co.

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INSURANCE

OCT 18 1973