

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F312876

JIMMY BARK, EMPLOYEE	CLAIMANT
RHEEM MANUFACTURING, INC., EMPLOYER	RESPONDENT NO. 1
OLD REPUBLIC INSURANCE CO., CARRIER	RESPONDENT NO. 1
SECOND INJURY FUND	RESPONDENT NO. 2

ORDER FILED MARCH 9, 2006

Upon review before the FULL COMMISSION in Little Rock, Pulaski County, Arkansas.

Claimant represented by the HONORABLE EDDIE H. WALKER, JR., Attorney at Law, Fort Smith, Arkansas.

Respondents No. 1 represented by the HONORABLE E. DIANE GRAHAM, Attorney at Law, Fort Smith, Arkansas.

Respondent No. 2 represented by the HONORABLE DAVID PAKE, Attorney at Law, Little Rock, Arkansas.

ORDER

Presently before the Commission is Respondent No.'s 1 Motion for Clarification. After consideration of Respondent No.'s 1 Motion, Claimant's and Respondent No.'s 2 responses thereto, and all other matters properly before the Commission, we find that Respondent No.'s 1 Motion should be, and hereby is, granted. Accordingly, the opinion in

this claim issued February 2, 2006, is hereby clarified to read as follows:

Claimant earned an average weekly wage of \$570.00 per week which entitles him to compensation rates of \$380.00 per week for total disability and \$285.00 per week for partial disability. Respondent No. 1 is liable for payment of the difference between the compensation rates at which it paid and the compensation rates established by the Opinion. In addition, Respondent No. 2 is liable for the payment of the difference between the claimant's permanent partial disability rate and his total disability rate as well as payment of permanent and total disability benefits. Respondent No. 1 has controverted any benefits due to the difference between the rates they voluntarily accepted and the rates determined in this Opinion.

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

SHELBY W. TURNER, Commissioner

KAREN H. MCKINNEY, Commissioner