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## **EXECUTIVE SUMMARY**

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Over the last five years, the City of Minneapolis litigated 17 Post Traumatic Stress Disorder (“PTSD”) Workers’ Compensation claims through full evidentiary hearings that resulted in Findings and Orders from the Court of Administrative Hearings (“CAH”).

Of those 17 claims, the CAH found 11 in favor of the employee and six in favor of the City. Of the six found in favor of the City, three were made final, two were appealed and eventually settled for relatively nominal amounts, and one was appealed to the State Supreme Court and remains active.

For each of 17 litigated claims employee dishonesty was considered and incorporated into the City’s defense, but Staff does not believe that employee dishonesty was a major component of the City’s defense for any of the litigated claims.

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## **BACKGROUND**

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On September 17, 2026, the City of Minneapolis City Council considered a proposed legal settlement for the Workers’ Compensation Claim of Jason Andersen.<sup>1</sup> The council discussed the matter and ultimately referred it back to committee to obtain additional information.<sup>2</sup>

On September 22, 2026, the Enterprise & Labor Relations Committee reconsidered the proposed legal settlement.<sup>3</sup> The Committee discussed the matter with the City Attorney’s Office and City Staff. While the matter was returned to City Council without recommendation, the Committee requested the following additional information:<sup>4</sup>

- 1) Information on the number of PTSD Workers’ Compensation claims that the City challenged at administrative hearing.
- 2) Of the claims challenged, a list of those where the City argued the untruthfulness of the plaintiff.
- 3) The number of PTSD Workers’ Compensation settlements for employees who appeared on the “Brady List.”

This memorandum addresses items #1 and #2. Because item #3 addresses protected legal data, the City Attorney’s office will respond separately in privileged correspondence.

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## **ANALYSIS**

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The City of Minneapolis Municipal Code of Ordinances Article XI. – Workers’ Compensation (§16.800 et seq.) contains local regulations pertaining to Workers’ Compensation. Notably, “[t]he workers’ compensation unit of the department of risk management and claims shall initially determine both

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<sup>1</sup> <https://lims.minneapolismn.gov/MarkedAgenda/Council/6227>

<sup>2</sup> <https://www.youtube.com/watch?v=UQ6YQR07kLE> at 1:31:30.

<sup>3</sup> <https://lims.minneapolismn.gov/MarkedAgenda/ELR/6213>

<sup>4</sup> <https://www.youtube.com/watch?v=WPDeCrRBdP8> at 13:35.

primary and ongoing liability of the city for workers' compensation claims" (§16.840). But, settlements exceeding \$75,000.00 require city council approval (§16.820).

Workers' Compensation Claims begin with an employee report of injury. The injured employee usually files that report with the City, but an employer, or a third-party representative like an attorney, can also file the report. Once a report is filed, it is assigned to a Workers' Compensation Claims Analyst. The Claims Analyst is responsible for investigating and appropriately handling workers' compensation claims in a self-insured, self-administered environment in accordance with Minnesota Workers' Compensation law.<sup>5</sup> When aspects of the claim are disputed, and the Analyst believe that legal support is required, outside counsel is retained and assigned to the claim.

Disputes that cannot be settled by the parties must be adjudicated in court. In Minnesota, disputed Workers' Compensation claims are initially adjudicated in the Court of Administrative Hearings (CAH).<sup>6</sup> The CAH conducts settlement conferences, mediations, and hearings.<sup>7</sup> CAH decisions are issued through a Findings and Order, and those Findings and Orders are appealable to the Minnesota Workers' Compensation Court of Appeals, and ultimately to the State Supreme Court.<sup>8</sup>

Between 2021 and September 2026, 17 claims for Post Traumatic Stress Disorder ("PTSD") made by City of Minneapolis employees were brought to a full evidentiary hearing on the primary liability issue of whether the employee did or did not have compensable PTSD. All 17 claims involved Minneapolis Police Department employees. Of those 17 claims, the employee prevailed in 11 and the City prevailed in six.

In the six claims where the City prevailed. Three were made final, two were appealed and subsequently settled for relatively nominal amounts, and one was appealed to the State Supreme Court and is still active.

Possible employee dishonesty was considered and incorporated into the City's defense strategy for all 17 claims. However, the degree to which that factor was considered, and the degree to which that factor was stressed in the defense, is not immediately known. However, staff does not believe that employee dishonesty was a central consideration / argument in any of the defenses based on discussions with outside counsel, reviews of each claim file, and reviews of legal summaries for each matter.

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<sup>5</sup> <https://www.governmentjobs.com/careers/minneapolismn/classspecs/newprint/1024953>

<sup>6</sup> <https://www.revisor.mn.gov/statutes/cite/176>

<sup>7</sup> <https://mn.gov/cah/lawyers-and-litigants/workers-compensation/general-proceedings-guide/>

<sup>8</sup> <https://mn.gov/workcomp/> and <https://www.revisor.mn.gov/statutes/cite/176>