

THOMAS J. KOCSIS

DOB: June 1, 1966

Education: 10<sup>th</sup> Grade

Employer: Wright and Filippis Medical Equipment-Began employment in October of 2004. Last day worked May 8, 2009

Date of Injury: On January 27, 2009, while attempting to carry a hospital bed that weighed approximately 110 pounds, I injured my back.

Date of back surgery: On May 11, 2009 Mr. Kocsis underwent a microlumbar diskectomy surgery. Mr. Kocsis developed an E-coli infection and underwent another emergency surgery on May 24, 2009. Mr. Kocsis was forced to stay in the hospital 9 days after this second surgery.

Current Medical Restrictions: It is undisputed that Mr. Kocsis is in need of restrictions of **"no lifting, pulling, pushing or carrying greater than 15-20 pounds"**. Furthermore, Mr. Kocsis is **taking medications that include Vicodin, Neurontin and Flexeril.**

Mr. Kocsis' Average Weekly Wage is \$497.84 and the worker's compensation carrier paid Mr. Kocsis \$310.50 per week.

On July 4, 2011 the worker's compensation carrier requested a vocational assessment. The vocational assessment indicated he had **no transferable skills** to his current physical exertion level.

A Wage Earning Capacity Assessment was performed and a Domino's Pizza Delivery Expert job was identified. The wage was not disclosed but a \$482.69 average weekly wage was assumed pursuant to the U.S. Department of Labor.

This Delivery Expert Job **was never forwarded** to Mr. Kocsis to apply.

**Despite this fact as of July 1, 2011, the worker's compensation carrier reduced Mr. Kocsis' weekly rate from \$310.50 to \$7.24 per week. Mr. Kocsis now must live on under \$40 per month.**

Mr. Kocsis has looked for work within his medical restrictions but has been unable to find employment.

Check No. 2109

Claim No.	Loss Date	Code	Payment Type/Claimant/SSN/Payee/Dates/Comment	Amount	Issue Date
WF0-09-000009-01	01/27/2009	T31	Pymt Type: COMP - TEMPORARY TOTAL Claimant: THOMAS KOCSIS Cmt. SSN: XXX-XX-1276 Payee: THOMAS KOCSIS Dates: 06/24/2011 - 06/30/2011 Comment: TTD	310.50	07/07/2011

Check No. 2117

Claim No.	Loss Date	Code	Payment Type/Claimant/SSN/Payee/Dates/Comment	Amount	Issue Date
WF0-09-000009-01	01/27/2009	T31	Pymt Type: COMP - TEMPORARY TOTAL Claimant: THOMAS KOCSIS Cmt. SSN: XXX-XX-1278 Payee: THOMAS KOCSIS Dates: 07/01/2011 - 07/07/2011 Comment: TPD	7.24	07/14/201



29688 Telegraph Road Suite 100 Southfield, MI 48034 Office: 1-248-357-2195 Fax: 1-248-357-2496

**VOCATIONAL ASSESSMENT**

**TO: ASU Group  
PO Box 77  
Okemos, MI 48805**

**DATE: 07/04/2011**

**Attn : Kirby Lau**  
**Claimant : KOCSIS, Thomas**  
**Claim # : WF0-09-000009-01**  
**Date of Loss : 01/27/2009**  
**Insured : Wright & Fillipis Bay Road/Saginaw**  
**Date of Surgery : N/A**  
**Diagnosis : Herniation**

**CURRENT STATUS**

This file was referred on May 23, 2011 for a vocational assessment under the Stokes v. Chrysler Corp. decision. Thomas Kocsis is a former Delivery Driver who sustained a back injury during the course of his employment with the insured. The purpose of this evaluation was to obtain measure of the claimant's vocational potential and maximum wage earning capacity, consistent with his vocational profile.

I met with the claimant at the Saginaw Bureau of Workers' Disability Compensation on June 28, 2011. Mr. Kocsis' attorney, Todd Trucks, was present for the meeting. It was explained to Mr. Kocsis that his case was referred to me for a one-time vocational evaluation and that our meeting did not constitute establishment of a professional counselor/client relationship to provide vocational rehabilitation services of any kind. Mr. Kocsis was informed that his attorney would be provided a copy of my report, and the claimant acknowledged his understanding of my involvement.

Mr. Kocsis was affable and pleasant during the course of our conversation, providing information freely, relative to his current medical status, education and work history. Presently, the claimant sees his treating physician on an as-needed basis. He has permanent physical limitations, most recently updated by his treating physician on April 19, 2011. In addition, Mr. Kocsis ingests the following medications:

- Vicodin (750 mg; 2-3 times daily)
- Neurontin (500 mg; TRID)
- Flexeril (one at bedtime)

**PERSONAL/SOCIOECONOMIC**

**Age:45**  
**Height:5' 7"**

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**Weight:**195 lbs. (+ 35 lbs. post-injury)**Misc.:**

The claimant is divorced and lives alone. He has three children living with him during summer months and shares custody with his wife during the school year, taking the children in on weekends. The claimant has a valid Michigan Chauffeur's License with no points or restrictions.

The claimant is currently receiving \$310.50 in weekly workers' compensation benefits. He is also receiving \$994.00 in Social Security Disability Income (SSDI) for which he was eligible beginning January 2009. He will be eligible for Medicare benefits in December 2011. The claimant denies any other sources of income. He is not working at the present time.

Mr. Kocsis has never served in the military. He denies having any criminal record, but this runs counter to my subsequent review of his employment application with the insured. There, the claimant documented having been convicted of a felony, but the nature of the conviction was not indicated.

**RESTRICTIONS**

Date: April 19, 2011

Physician: Ravi Lakkaraju, MD

Restrictions:

- *"No lifting, pulling, pushing, or carrying greater than 15-20 lbs.*

**VOCATIONAL INFORMATION****Education:**

The claimant is not a high school graduate, having left John Glenn High School in Bay City, MI when he was in 10th grade. The claimant reports diminished skills in mathematics and spelling. He attempted unsuccessfully to earn his GED, failing to pass two (2) of five (5) subtests approximately 10 years ago. This was another inconsistency with the claimant's employment application with the insured. On the application, the claimant reported having earned his GED.

Mr. Kocsis knows no foreign languages. He does not have a computer at home and denies having any typing ability or knowledge of business software programs.

**Employment History:**

**Construction Laborer** (869.687-026) (SVP-2; Very Heavy Physical Exertion Level) – Jerry's Trucking – Bay City, Michigan – 1982-1984; 2003-2004 – \$10.00 per hour

Dug trenches and assisted in laying sewer and irrigation pipe; Drove dump truck, occasionally

**Dishwasher** (318.687-010) (SVP-2; Medium Physical Exertion Level) – Sherry & Ann's Restaurant –

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Bay City, Michigan – 1984-1988

**Cook** (313.361-014) (SVP-7; Medium Physician Exertion Level)

Claimant promoted to cook after one year as a Kitchen Helper; Cooked full breakfast, lunch and dinner meals; Left job for better wages

**Cook** - Char House, Ponderosa, & Grandpa Tony's - Bay City/Essexville, Michigan - 1988-1994

**Coin Collector** (292.483-010) (SVP-3; Medium Physical Exertion Level) – American Amusement & Vending – Bay City, Michigan – 1994-2000 – \$8.00-\$9.00 per hour

Collected coin from video games, juke boxes, and pool tables; Addressed business owners' concerns; Engaged in sale activity to acquire new accounts; Left job due to conflict with owner

**Carpenter** (861.381-054) (SVP-7; Medium Physical Exertion Level) – TCD Remodeling (self-employed) – Bay City, Michigan – 2000-2003

Claimant contracted with a friend who is an experienced carpenter; Claimant learned much of his skill on the job; Identified ceramic tiling as his primary strength in this field

**Assistant Retail Manager** (211.467-010) (SVP-4; Light Physical Exertion Level) – Dollar General – Bay City, Michigan – 2004 (7 months) – \$6.50 per hour

Worked as a head cashier and stock clerk; Opened store, Counted tills upon store opening and at the end of cashier shifts; Unloaded trucks and stocked products on display shelves; Checked incoming shipments against bills of lading

**Delivery Driver** (292.353-010) (SVP-3; Medium Physical Exertion Level) – Wright & Fillppis – Saginaw, Michigan – 2004-2009 - \$497.84 per week

Delivered medical equipment and products to customer homes, hospitals, and physician offices & clinics; Certified oxygen tank handler; Cleaned warehouse; Stocked deliveries; Handled equipment weighing from 50-300 lbs. by hand and/or by two-wheeled cart

**Transferable Skills Analysis:** None to the claimant's current physical exertion level

### JOB SEARCH ACTIVITY

The claimant reports that he has not sought employment since his injury, secondary to his symptoms and residual functional limitations. The claimant stated, "I can't lift anything; back hurts 24/7." He reports that physical activity increases his back and leg pain. The claimant reports that he has permanent nerve damage in the left lower extremity which results in "charley horses" during the course of the day. He also requires the ability to sit and stand at will.

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**SUMMARY**

Thomas Kocsis is a former Delivery Driver for the Insured. He has worked in Semi-Skilled to Skilled occupations for the duration of his work history. He has no high school diploma or GED and professes to have deficient academic skills, particularly in spelling and mathematics. He has no transferable skills to his current physical exertion level.

The claimant is currently receiving a total monthly income of approximately \$1300.00 combining his workers' compensation and SSDI payments.

Mr. Kocsis is currently restricted to work performed at a range of the Light Physical Exertion Level by his treating physician.

A wage earning capacity assessment was requested on this case, and the outcome of my labor market research is reflected in the attached report.

DIARY DATE: 08/04/2011

Report Submitted by: \_\_\_\_\_

**John Stokes M.A., CRC, CDMS**  
**Rehabilitation Case Manager**

/ts

CC: Denice LeVasseur



29688 Telegraph Road Suite 100 Southfield, MI 48034 Office: T-248-357-2195 Fax: T-248-357-2496

### WAGE EARNING CAPACITY ASSESSMENT REPORT

Medical ( )                      Vocational ( x )  
Workers' Comp ( x )          Auto No Fault ( )

July 4, 2011

Claimant                    : Kocsis, Thomas  
Claim#                      : WF0-09-000009-01  
Date of Injury            : 01/27/2009  
Insured                     : Wright & Fillippis  
Diagnosis                 : Herniated Disc (L5-S1)

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This file was referred for a wage earning capacity assessment, consistent with the claimant's current functional capacities, qualifications and training. Thomas Kocsis is a former Delivery Driver who sustained a back injury during the course of his employment with the insured.

The purpose of labor market research in this case was to identify available jobs within a reasonable distance of the claimant's Bay City, Michigan home, consistent with his current vocational profile.

For purposes of the labor market survey, the following medical record was considered.

Date: April 19, 2011  
Physician: Ravi Lakkaraju, MD  
Restrictions:

- *"No lifting, pulling, pushing, or carrying greater than 15-20 lbs.*

### **LABOR MARKET RESEARCH**

Research of various vocational resources, including the Dictionary of Occupational Titles & Selected Characteristics of Occupations, as well as the U.S. Department of Labor/Bureau of Labor Statistics was conducted on July 4, 2011, in an effort to identify available jobs consistent with the claimant's current functional capacities, qualifications and training.

In excess of 600 jobs were scanned and/or reviewed in order to identify those appropriate for the claimant's pursuit. Online job posting websites researched included

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the Michigan WORKS/Michigan Talent Bank; Careerbuilder.Com; Indeed.Com; Monster.Com; and Jobopenings.net.

### EMPLOYMENT OPENINGS

The following jobs were available at the time of my research conducted on July 4, 2011, and are within the claimant's current functional capacities, qualifications and training. The claimant's lack of a high school diploma or GED is a significant contributing factor in identifying available jobs for which he qualifies.

The following jobs were deemed appropriate for the claimant's pursuit, based on the medical opinion of Dr. Lakkaraju. All jobs identified are located within a 20-mile radius of the claimant's Bay City, Michigan home.

1.     Employer:             Domino's Pizza  
       Address:            3764 Dixie Highway, Saginaw, MI 48601  
       Telephone:         989-746-6000  
       Contact:            Barb Bernier  
       Position:           Delivery Expert (4 jobs)  
       Pay rate:           Not cited – \$482.69 per week (U.S. Department of  
                              Labor/Bureau of Labor Statistics – Saginaw-Saginaw Twp.  
                              North, MI)  
       Requirements:      Valid driver's license; Good driving history; Apply in person
  
2.     Employer:           Bridgestone Firestone  
       Address:            4590 Bay Road, Saginaw, MI 48604  
       Telephone:         989-799-2850  
       Contact:            Bob Robinson  
       Position:           Sales Teammate (2 jobs; 30 hours per week)  
       Pay rate:           \$11.00 per hour (\$330.00 per week)  
       Requirements:      No experience necessary; Valid driver's license; Apply in  
                              person; by telephone; mail; or fax (989-799-4752)

The aforementioned jobs provide wages ranging from \$330.00 - \$482.69 per week. Labor market research failed to identify any single job that provides a wage meeting or exceeding the claimant's pre-injury wage of \$497.84 per week.

### SUMMARY

Thomas Kocsis is a former Delivery Driver for the Insured. He has worked in Semi-Skilled occupations for the relevant portion of his work history. The claimant has no high school diploma and professes to have deficient academic skills. He has no

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transferable skills to his current, Light Physical Exertion Level. His academic limitations have precluded his successful acquisition of a GED in the past.

*If the medical opinion of Dr. Lakkaraju is deemed credible, the claimant has sustained a loss of his pre-injury wage earning capacity. Labor market research failed to identify any job consistent with the claimant's vocational profile that provided a wage meeting or exceeding Mr. Kocsis' pre-injury wage earning capacity.*

I hope this information has been helpful. If you need clarification of any information contained herein, do not hesitate to contact our offices at your convenience.

Respectfully submitted,



John N. Stokes, M.A., CRC, CDMS  
Senior Rehabilitation Case Manager

cc: Denice LeVasseur  
LeVasseur & LeVasseur, PC  
24725 W. Twelve Mile Road, Ste. 230  
Southfield, MI 48034



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**LABOR MARKET SURVEY**

**TO: ASU Group  
Kirby Lau  
PO Box 77 Okemos, MI 48805**

**DATE: 07/04/2011**

**RE: KOC SIS, Thomas  
CLAIM: WF0-09-000009-01  
DOI: 01/27/2009  
INSURED: Wright & Fillips Bay Road/Saginaw**

**INTRODUCTION**

This file was referred for a wage earning capacity assessment, consistent with the claimant's current functional capacities, qualifications and training. Thomas Kocsis is a former Delivery Driver who sustained a back injury during the course of his employment with the Insured.

The purpose of labor market research in this case was to identify available jobs within a reasonable distance of the claimant's Bay City, Michigan home, consistent with his current vocational profile.

For purposes of the labor market survey, the following medical record was considered.

Date: April 19, 2011  
Physician: Ravi Lakkaraju, MD  
Restrictions:

- *"No lifting, pulling, pushing, or carrying greater than 15-20 lbs.*

**LABOR MARKET RESEARCH**

Research of various vocational resources, including the Dictionary of Occupational Titles & Selected Characteristics of Occupations, as well as the U.S. Department of Labor/Bureau of Labor Statistics was conducted on July 4, 2011, in an effort to identify available jobs consistent with the claimant's current functional capacities, qualifications and training.

In excess of 600 jobs were scanned and/or reviewed in order to identify those appropriate for the claimant's pursuit. Online job posting websites researched included the Michigan WORKS/Michigan Talent Bank; Careerbuilder.Com; Indeed.Com; Monster.Com; and Jobopenings.net.

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**EMPLOYMENT OPENINGS**

1. **Employer:** Domino's pizza  
**Address:** 3764 Dixie Highway, Saginaw, MI 48601  
**Telephone:** N/A  
**Contact:** Barb Bernier  
**Position:** **Delivery expert (four jobs)**  
**Pay rate:** **Not cited**  
**Requirements:** Valid driver's license; good driving history; apply in person.
  
2. **Employer:** Bridgestone Firestone  
**Address:** 4590 Bay Road, Saginaw, MI 48604  
**Telephone:** 989-799-2850  
**Contact:** Bob Robinson  
**Position:** **Sales teammate (two jobs); 30 hours per week**  
**Pay rate:** **\$11.00 per hour**  
**Requirements:** No experience necessary; valid driver's license; apply in person; by telephone; mail; or fax (989-799-4752)
  
3. **Employer:** Lowe's  
**Address:** 2258 Tittabawassee road, Saginaw, MI  
**Telephone:** N/A  
**Contact:** Human Resources  
**Position:** **Appliance sales person (20 hours per week; five jobs)**  
**Pay rate:** **Not cited**  
**Requirements:** High school diploma; one year experience; apply in person or by web site ([www.lowes.com](http://www.lowes.com))

**SUMMARY**

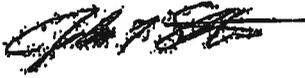
Thomas Kocsis is a former Delivery Driver for the Insured. He has worked in Semi-Skilled to Skilled occupations for the duration of his work history. The claimant has no high school diploma or GED and professes to have deficient academic skills. He has no transferable skills to his current physical exertion level and is restricted to work performed at the Light Physical Exertion Level.

*If the medical opinion of Dr. Lakkaraju is deemed credible, the claimant has sustained a loss of his pre-injury wage earning capacity. Labor market research failed to identify a significant number of jobs consistent with the claimant's vocational profile and providing a wage meeting or exceeding Mr. Kocisiss pre-injury wage earning capacity.*

I hope this information has been helpful. If you need clarification of any information contained herein,

**KOCSIS, Thomas**  
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do not hesitate to contact our offices at your convenience.



**Report Submitted by:**

**John Stokes M.A., CRC, CDMS**  
**Rehabilitation Case Manager**

**/ts**

**CC: Denice LeVasseur**