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**UTAH LABOR COMMISSION**

**JORDAN M. WILKINS,**

**Petitioner,**

vs.

**ARCTIC CIRCLE and WORKERS  
COMPENSATION FUND,**

**Respondents.**

**ORDER AFFIRMING  
ALJ'S DECISION**

**Case No. 09-0279**

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Jordan M. Wilkins asks the Utah Labor Commission to review Administrative Law Judge Trayner's dismissal of Mr. Wilkins's claim for benefits under the Utah Workers' Compensation Act, Title 34A, Chapter 2, Utah Code Annotated.

The Labor Commission exercises jurisdiction over this motion for review pursuant to § 63G-4-301 of the Utah Administrative Procedures Act and § 34A-2-801(3) of the Utah Workers Compensation Act.

**BACKGROUND AND ISSUE PRESENTED**

In a previous proceeding before the Commission, Mr. Wilkins claimed he was entitled to workers' compensation benefits for injuries suffered while working for Arctic Circle on March 17, 2004. On October 23, 2008, Mr. Wilkins and Arctic Circle entered into a Settlement of Claim of Disputed Validity. Judge Trayner approved the settlement on October 27, 2008.

On April 14, 2009, Mr. Wilkins filed another claim with the Commission against Arctic Circle, seeking additional workers' compensation benefits for the 2004 accident. Arctic Circle moved for dismissal on the grounds the claim had been fully resolved by the 2008 settlement. On July 6, 2009, Judge Trayner granted Arctic Circle's motion and dismissed Mr. Wilkins' claim.

On July 20, 2009, Mr. Wilkins requested Commission review of Judge Trayner's decision. In summary, Mr. Wilkins contends the settlement does not reflect the parties' agreement. He also alludes to "options" that were not discussed during the mediation process and expresses dissatisfaction with the amount of settlement

**DISCUSSION AND CONCLUSION OF LAW**

Section 34A-2-420 of the Utah Workers' Compensation Act permits parties to agree to full and final compromise settlements of disputed workers' compensation claims, subject to Commission approval of such settlements. Mr. Wilkins and Arctic Circle availed themselves of this authority by executing their settlement agreement and presenting the agreement to Judge Trayner for her review.

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The settlement was duly approved by Judge Trayner, and Mr. Wilkins' has identified no reason that would justify setting aside the settlement agreement. The Commission therefore concludes that Judge Trayner properly dismissed Mr. Wilkins' most recent claim seeking additional workers' compensation benefits in addition to those provided by the settlement agreement.

**ORDER**

The Commission affirms Judge Trayner's order and denies Mr. Wilkins' motion for review. It is so ordered.

Dated this 24<sup>th</sup> day of August, 2009.

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Sherrie Hayashi  
Utah Labor Commissioner

**NOTICE OF APPEAL RIGHTS**

Any party may ask the Labor Commission to reconsider this Order. Any such request for reconsideration must be received by the Labor Commission within 20 days of the date of this order. Alternatively, any party may appeal this order to the Utah Court of Appeals by filing a petition for review with the court. Any such petition for review must be received by the court within 30 days of the date of this order.