

## Workers' Compensation

Lawyers in the Workers' Compensation Practice Group provide a broad range of legal services to, and aggressive representation of, employers, insurance carriers, third-party administrators and insurance brokers regarding the defense of workers' compensation matters in Pennsylvania and New Jersey. In addition to the more traditional defense of workers' compensation claims related to compensability and disability issues, our lawyers provide legal advice regarding administration of claims, loss prevention, third-party subrogation liens, establishment of safety programs, union negotiations and contract language.

We handle all phases of litigation from the Workers' Compensation Judge level through all appellate boards and courts. Our workers' compensation team includes lawyers with expertise in hearing loss claims and occupational disease claims. We have become active in reviewing and commenting upon proposed rules, regulations and legislation in the workers' compensation area to ensure that our clients' views are heard. We are also available for seminars regarding Workers' Compensation Act amendments, case law updates, regulations, administrative procedures and general handling of compensation matters.

It is our philosophy to provide the highest quality legal representation in workers' compensation matters efficiently, thoroughly and for the lowest possible cost to our clients. Working closely with in-house staff, third party administrators and insurers, we offer training that assists clients in implementing procedures to reduce costs. Once a decision is made to litigate a claim, we aggressively defend our clients' interests in an effort to minimize losses.

### REPRESENTATIVE MATTERS

Obtained a Judge's decision that denied a Claim against a construction company when the defense presented the employee's company credit card, showing that he had gone for a hair cut before getting medical treatment for his alleged chemical exposure

Obtained a Judge's decision that denied a Claim against an electronics manufacturer when an inspector alleged his low back surgery was work related, but the defense established the injury leading to the surgery had resulted from a sneeze at home

Obtained a Judge's decision that denied a Claim against a construction company when a heavy equipment operator alleged back and knee injuries from a car accident, but the defense established his loss of earnings was due to an economic lay off, and not his injuries

### PRACTICE CONTACT

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### RELATED PRACTICES

Labor and Employment

### PRACTICE HIGHLIGHTS

- Providing legal advice regarding administration of claims, loss prevention, third party subrogation liens, and contract language
- Handling all phases of litigation from the Workers' Compensation Judge level through all appellate boards and courts
- Available for seminars and training regarding workers' compensation issues



Obtained a Judge's decision that denied a Claim against a truck manufacturer when an assembly worker alleged there was work-related ringing in his ears ("tinnitus"), and the defense successfully argued it was not a compensable "injury" as the law defines it

Obtained a Judge's decision that denied a Claim against a nursing facility when a CNA injured her wrist, but the defense established her loss of earnings was due to a positive drug screening, and not her injury

Obtained a Judge's decision that denied a Claim against a quarry when a heavy equipment operator alleged back and knee injuries from a fall, but the defense established his loss of earnings was due to his failure to return to modified duty, and not his injuries

## NEWS

Congratulations 2022 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars  
7.13.22

Anthony Salvino Appointed Workers' Compensation Judge in Berks County  
11.23.20

White and Williams Earns Tier 1 Rankings from U.S. News "Best Law Firms" 2021  
11.5.20

Congratulations 2020 DE, MA, NY and PA Super Lawyers and Rising Stars  
11.5.20

Best Lawyers® Recognizes 43 White and Williams Lawyers  
8.20.20

Congratulations 2018 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars  
10.18.18

Congratulations 2016 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars  
10.18.16

White and Williams Earns "Best Law Firm" Distinction by US News and World Report  
11.3.15

Congratulations 2015 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars  
10.21.15

## PUBLICATIONS

PA and NJ Workers' Compensation Benefits for 2024  
*Workers' Compensation Alert*, 2.2.24

For PA Employers: Defense Against Medical Marijuana Goes up in Smoke  
*Workers' Compensation Alert*, 3.28.23



A New Year Brings New Rates: NJ and PA Workers' Compensation Benefits for 2023

*Workers' Compensation Alert*, 1.23.23

Reminder to Employers: Keep an Eye on Potential Offsets Against PA Workers' Compensation Benefits

*Workers' Compensation Alert*, 3.4.22

NJ and PA Workers' Compensation Benefits for 2022

*Workers' Compensation Alert*, 1.24.22

UPDATE: New Jersey Employers Must Pay for Pot

*Workers' Compensation Alert*, 4.14.21

NJ and PA Workers' Compensation Benefits for 2021

*Workers' Compensation Alert*, 12.22.20

Work From Home: Workers' Compensation Considerations

*The Legal Intelligencer*, 10.13.20

NJ Essential Employees Now Have a Presumption for Work-Related COVID-19

*Workers' Compensation Alert*, 9.18.20

PA and NJ Give Special Consideration to Police and Fire Workers for COVID-19

*Workers' Compensation Alert*, 7.27.20

PA's Potential for a Presumption of Work-Related COVID-19 Injuries

*Workers' Compensation Alert*, 6.9.20

Not So Likely That PA Employers Must Pay For Pot

*Workers' Compensation Alert*, 6.1.20

Return to Work: Guidance for Workplace Reopening

5.21.20

Workers Compensation Act Exclusivity Likely Bars Most Employee COVID-19 Claims

*Workers' Compensation Alert*, 5.1.20

PA Work Injuries While Working Remotely

*Workers' Compensation Alert*, 3.20.20

COVID-19 in the Course and Scope of PA Employment

*Workers' Compensation Alert*, 3.19.20

NJ and PA Workers' Compensation Benefits for 2020

*Workers' Compensation Alert*, 1.9.20

PA and NJ Workers' Compensation Benefits for 2019

*Workers' Compensation Alert*, 1.28.19



New Prescription Guidelines for Workers' Compensation in Pennsylvania

*Workers' Compensation Alert*, 7.24.18

Massachusetts Supreme Judicial Court Clarifies Test for Determining Who is an "Employee" for Purposes of Workers' Compensation Eligibility

*Labor and Employment Alert*, 5.11.18

Social Media in Litigation: The Increasing Impact and Evolving Standards for Discoverability and Admissibility

*Litigation Alert*, 3.28.18

PA and NJ Workers' Compensation Benefits for 2018

*Workers' Compensation Alert*, 2.21.18

PA and NJ Workers' Compensation Benefits For 2017

*Workers' Compensation Alert*, 1.30.17

PA Supreme Court to Rule on Scope of Judges' Credibility Determinations

*Workers' Compensation Alert*, 4.18.16

Pennsylvania Supreme Court to Review Constitutionality of Using 6th Edition of the AMA Guides in IREs

*Workers' Compensation Alert*, 3.24.16

Court Confirms That "Medical Only" Means "Medical Only"

*Workers' Compensation Alert*, 1.20.16

Commonwealth Court Rules that Using 6th Edition of AMA Guides on IREs is Unconstitutional

*Workers' Compensation Alert*, 10.14.15

## EVENTS

Lehigh Valley Labor & Employment Seminar

Webinar, 5.26.21

Pennsylvania Return to the Workplace

Webinar, 6.11.20

An Emergent Webinar: Navigating COVID-19's Impact - What Every Employer Must Know

Webinar, 3.24.20

Employment Law Seminar

National Museum of Industrial History (Bethlehem, PA), 6.13.18

Employment Law Seminar - Philadelphia

Philadelphia, PA, 4.12.17

Employment Law Seminar - Lehigh Valley

Penn State Lehigh Valley (Center Valley, PA), 6.9.16



125<sup>th</sup>  
ANNIVERSARY

White and  
Williams LLP

## Workers' Compensation

Workers' Compensation Case Law Update  
Berks County Bar Association, 11.19.15

Workers' Comp Marks 100 Years - Trouble Ahead?  
The American Law Journal, 11.16.15

Ethical Issues Involved in Workers' Compensation Attorneys' Fees  
PBA Workers' Compensation Law Section Fall Meeting (Hershey, PA), 10.8.15

Workers' Compensation Seminar  
Brookside Country Club, Macungie, PA, 9.24.15

