

## Workers' Compensation Legislative Alert

*Your rights are under attack in Pennsylvania!*

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On August 6, 2013 House Bill No. 1636 was placed before The General Assembly of Pennsylvania and is set to be voted on by the The Pennsylvania House of Representatives. This bill would allow employers to establish a coordinated care organization for the treatment of injured workers. ***If they do so, the injured workers would be required to treat with those providers for the lifetime of the injury.*** This is the insurance companies' version of rationed medical care and takes away an injured worker's freedom of choice on their medical care. **This is not just a bad bill, it is bad medicine.** If you don't make your voice heard it might just become the reality of a work injury in Pennsylvania.



**CALL TO ACTION**

**Please contact your state legislator and ask them to**

**VOTE NO ON HB 1636!**

Please visit our website at [www.paworkinjury.com/voteno1636](http://www.paworkinjury.com/voteno1636) for a list of state representatives or call us at 215-587-8400 and we will provide you with the name and number of your representative.

*Your effort today, along with that of your family and friends, can help turn legislators against this piece of legislation!*

**THANK YOU!**

1818 Market Street, 35th Floor, Philadelphia, PA 19103

main 215-587-8400 fax 215-587-8417

branch offices and by appointment only locations

MALVERN | READING | ALLENTOWN | BRISTOL | MEDIA | HARRISBURG

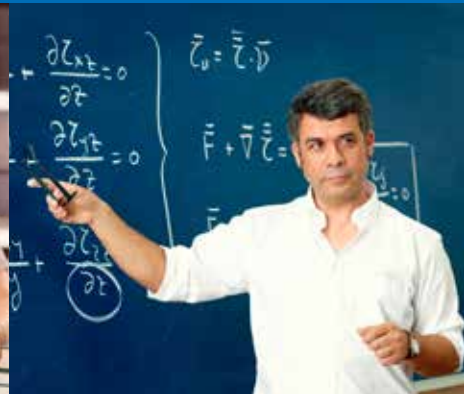
[PAWORKINJURY.com](http://PAWORKINJURY.com) | [SSDISABILITYFIRM.com](http://SSDISABILITYFIRM.com)

# Reporting Injury: A Checklist

So you're thinking "how does a teacher even have a work injury?" Well, it's more common than you might think. Accidents happen everywhere and to everyone. A teacher might slip and fall in the hallway or maybe strain their back lifting something. And in some schools there is the risk of being attacked or injured by a student.

The important thing to note as a teacher or with any job is to report all injuries, no matter how minor they seem at the time. While in most jobs you would report your injury to HR and/or your supervisor, as a teacher the key is to visit the school nurse. Below is a checklist to follow should you ever become injured as a teacher.

- ☑ Visit the school nurse where a record of injury will be kept.
- ☑ Seek emergency medical treatment if needed.
- ☑ Report the injury to your administrative office within 21 days of injury.
- ☑ Document EVERYTHING!
- ☑ Seek legal advice to ensure your rights are not compromised.



## BACK TO SCHOOL...OR NOT?

BY ALFRED CARLSON, ESQ.  
FRANK J. UIDINSON, ESQ.

On June 7, 2013 the Philadelphia School District announced the layoff of 3,783 people. The layoff, to quote Superintendent of Schools William Hite, is "catastrophic," and includes support staff, teachers, and senior administrators.

Since then some funding has come through which will save about a thousand of those jobs, making this slightly less catastrophic. However, this should be seen as an opportunity to shed some light on employees rights during a layoff.

Many employees who have been laid off may have been working in light or modified duty positions as a result of work-related injuries at the time the layoffs went into effect.

Are you aware of your rights to wage loss benefits if you are laid off while working light duty?

The law regarding an employee's entitlement to workers' compensation wage loss benefits when he or she has returned to light or modified duty and is subsequently laid off is clear. In fact, the Commonwealth Court explained in *Klarich v. Workers' Compensation Appeal Board (RAC's*

*Assoc.)*, 819 A.2d 626 (Pa. Cmwlth. 2003), that:

"Where a claimant returns to work under a suspension, with restrictions, that is, does not return to his or her time-of-injury job, but rather to a modified position, and is subsequently laid off and petitions for the reinstatement of benefits, the claimant is also entitled to the presumption that his or her disability, i.e. loss of earning power, is causally related to the continuing work injury." Id.

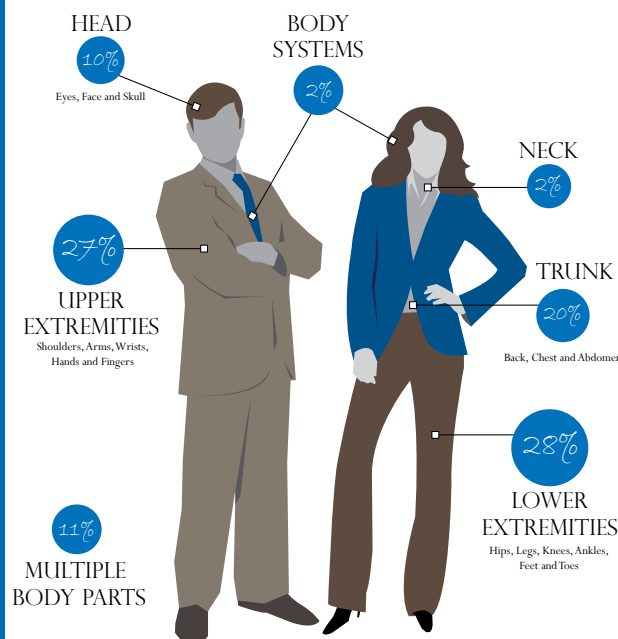
As noted above, the law is clear. Following a layoff, an employee is entitled to a presumption that his or her ongoing wage loss is causally related to his or her continuing work injury.

One question remains. Are the teachers, support staff, and senior administrators, who have been laid off, aware of their rights to wage loss benefits, and will relief be given accordingly?

» If you think you or a family member may be entitled to continued benefits, please call our experienced attorneys for a free, no obligation consultation by calling 215-587-8400.

### MOST COMMON INJURIES TO TEACHERS\*

Source: Bureau of Workers' Compensation, Pennsylvania Department of Labor & Industry, 2010 Annual Report





## VETERANS' BENEFITS CERTIFIED!

MARTIN law recently added the practice area of Veterans' Benefits to compliment our range of services to assist those who are injured and/or disabled.

Attorneys Joe Huttemann and Frank Udinson are now accredited by the United States Department of Veterans' Affairs (VA) for representation of disabled veterans. Veterans cases are only allowed only to be handled by attorneys who have received certification from the VA.

Veterans benefits allow those who served our country to get the benefits that they deserve due to illnesses

or injuries caused or aggravated by active military service. The VA offers veterans different types of benefits which depend on service location and length. For example there are certain "presumptive" conditions for Vietnam Veterans, Atomic Veterans, Gulf War Veterans, and former Prisoners of War. The "presumptive" benefits occur from the high recurrence rate of certain illnesses or disabilities that are associated within these groups of veterans.

» *The benefits vary depending on a number of factors. If you or a family member are in need of assistance with your benefits please contact us today at 215-587-8400.*

## MEET THE MLW TEAM!

*partner* **MATTHEW L. WILSON, ESQ.**

Matt has been a Partner at MARTIN law for 20 years focusing his practice on workers' compensation. Matt dedicates a large portion of his time to educating and improving the workers compensation system in Pennsylvania. He has been an Author of the Practice and Procedure Manual for the last 10 years and is a Fellow of the College of Workers Compensation Lawyers. Matt has been married for 26 years and has two daughters. He enjoys scuba diving, bike riding and cooking.

*legal assistant* **MEREDITH KAMP**

Meredith serves as the assistant on Matt's team and arranges appointments for clients, schedules depositions, confirms all appointments arranged by the team and deals with any issues regarding medical providers and bills. Meredith was born and raised in Hershey, PA and is a graduate of Temple University. She is an avid sports fan and enjoys running in her free time.

*legal secretary* **JENNIFER MILILLO**

Jenn serves as the secretary on Matt's team and assists him with the representation of injured workers. She is happy to help clients with their questions regarding their workers' compensation issues. Jenn enjoys spending time with her two kids.

*paralegal* **AMANDA TURNER**

Amanda serves as the paralegal on Matt's team and prepares files for hearings, settlements, and mediations, as well as takes incoming calls from clients, attorneys, adjusters and judges. She assists injured workers in any way possible. Amanda graduated from Kutztown University and enjoys skiing, snowboarding, and hiking.



PICTURED L-R: Meredith, Matt, Jennifer and Amanda.

## RECENT SETTLEMENTS:

*Below is a sample of recent settlements and recoveries we've helped to obtain for our clients.*

**\$550,000 AWARDED** to an electrician with a crushed right ankle and foot

**\$500,000 AWARDED** to a union carpenter who suffered a stroke

**\$403,000 AWARDED** to a printing press operator with bilateral carpal tunnel syndrome

**\$203,000 AWARDED** with open medical for a construction worker with lower back injury and skull fractures

**\$241,000 AWARDED** in wage loss for electrician with low back and knee injury

**\$175,000 AWARDED** to a cable installer for neck, shoulder and hand injuries

## COMMUNITY SUPPORT

At Martin law, community support is one of our core values. In April 2013, we started "Martin LLC Gives Back," where each month we find a different community organization to support. In July, we collected monetary and supply donations for Wags Rescue & Referral in Horsham, PA.

### WORKERS' COMP TEAMS

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Shanta Green

## TEAM CONTACTS

**MARTIN** LLC  
*Working for people who can't.*



Pictured above is secretary Jessica delivering the donations.

## New Bucks County Office

Martin law is proud to announce that we will be opening our new Bucks County office in Bristol, PA on September 1. Our new office is located right behind the Bristol Workers' Compensation Hearing Office at 1250 Veterans' Highway, Bristol, PA. Don't forget that we also have numerous other locations including Malvern, Reading, Allentown, and meeting-only locations all over Southeastern PA including Media, Upper Darby, Doylestown and even as far as Harrisburg.

We know that traveling while injured can be difficult and will always find a way to meet with you at your convenience.

## ELECTIONS AND AWARDS

**MARIA BERMUDEZ-HARRIS** was selected to Lawyers on the Fast Track for 2013 by *The Legal Intelligencer* set to be published on September 24. Lawyers on this list are judged on four factors: development of the law, advocacy, community contributions and service to the bar. >>



## SPEAKING ENGAGEMENTS

**AL CARLSON** was a presenter at the Pennsylvania Bar Institute CLE program on August 1 entitled "*How to Handle a WC Mediation*" which covered how to analyze and prep your case, key factors that adjusters consider when determining a case's settlement value.

**MATT WILSON** and **GEORGE MARTIN** will be speaking at the 29th Annual Fall Meeting of the Pennsylvania Bar Association Workers' Compensation Section hosted by the Pennsylvania Bar Institute in Hershey, PA on September 12 & 13.

## BACK TO SCHOOL SUPPLY DRIVE

Martin law was a sponsor for the Philadelphia Bar Association Young Lawyers Division and Minority Bar Community Outreach Committee of the Pennsylvania Bar Association for its First Annual Back to School Supply Drive to obtain donations for students in economically-challenged areas of the city. Martin law hosted a sorting party on the last day of collection to sort the collected school supplies for distribution to Philadelphia schools and community centers.



**CORRECTION NOTICE:** Our June newsletter mistakenly stated that we had more certified claimants' attorneys than any other firm in Philadelphia. The correct statement is that we have as many as any other firm in Philadelphia. We apologize for the mistake.

# MARTIN<sub>LLC</sub>

*Working for people who can't.*

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## IN THIS ISSUE:

Legislative Alert	P.1
Back to School...Or Not?	P.2
Reporting Injury Checklist	P.2
Common Teacher Injuries	P.2
Veterans' Benefits	P.3
Lump Sum Settlements	P.3
Community Support	P.3
Featured Team & Contacts	P.3
Firm & Attorney Updates	P.4