

# Injured Worker Denied Benefits Due to Facebook Photos

Social media websites make it easier for us to share the details of our lives with others. We can send information to a large amount of people with just one click. We can post pictures of important or noteworthy events. While most of these photos are just a simply way to share memories, some postings can result in problems down the line.

A current case in Arkansas recently made national news when an injured worker was denied his request for an extension of workers' compensation benefits. He was originally injured when a refrigerator fell on top of him, which resulted in a hernia.

After several operations, the worker reported that the injury was still impacting his ability to work. The employer, and the employer's insurer, submitted photos from Facebook that they claimed demonstrated that the injured worker was healthy and able to work.

Despite the worker's objections, the commission in Arkansas allowed the pictures to be admitted into evidence as it believed that they were similar to information that could be obtained by doing surveillance.

This case is important for injured workers in Pennsylvania because it highlights how easy it is for employers to find out information about their employees by using the internet. Employers may also look at postings made by friends and family to try to prove that an injured worker is healthy enough to return to work.

Injured workers need to be extremely cautious about the information they submit online. Anything that an employer can

find can be taken out of context and used to deny benefits.

Source: MSNBC, "Facebook pics lead to worker's comp denial",  
Martha C. White, Feb. 3<sup>rd</sup>, 2012.