

Substantial and Competent Evidence

In the case Upper Darby Township v. Workers' Compensation Appeal Board (Nicastro), the Court reversed a judge's decision to reinstate claimant's benefits in 2004, due to the fact that the employee ceased working because of non-work related issues. The employer and employee had previously signed a "Binding Stipulation of Fact to Resolve the Issues in Dispute between the Parties," which led to an agreement that all time off after October 8, 2004 was not attributable to his back injury. The employee failed to show substantial and convincing evidence that his current back injury was related back to his previous 2004 work injury. His medical evidence ignored any reference back to his 2004 injury and failed to prove a connection to the work injury.