

When is an injury in the course and scope of employment?

Often, disputes in workers' compensation claims involves medical questions, such as whether carpal tunnel syndrome is job related or whether a heart attack stems from work. In other cases, the issue is not the injury at all. Instead, it involves whether the injury happened during the course and scope of employment.

In Pennsylvania, the Workers' Compensation Act requires employers to pay for injuries that workers suffer in the course of employment, which means they are furthering the business or affairs of the employer at the time of the injury. The Pennsylvania Commonwealth Court has held that workers are eligible for compensation for injuries suffered on the employers' premises during work hours as long as they did not abandon their employment or do something foreign to the employment. Given this broad standard, how do cases involving the course and scope of employment arise?

In one recent case, the issue was whether a convenience store worker had abandoned his work by chasing a would-be thief into the parking lot. The worker was a manager who had come to work early to help a coworker. He saw a thief attempt to take money from the register and chase after him. The worker chased him into the parking lot and reached into the man's car as he was driving away. The thief dragged the worker as he drove off and ran over his head. The man later died from severe head injuries.

The employer argued that the man had abandoned his employment. The Pennsylvania Commonwealth Court ultimately held that the man was acting in the course and scope of his employment and

was eligible for workers' compensation benefits.

Source: To read more about the case, see our recent article, "Appellate court: Chasing thief was in course of employment." [□](#)