

Compensability in Worker's Compensation.
Why are we paying this claim?

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1

What is Workers' Compensation?

- What is workers' Comp, and why do we have it?
- Why is it designed like it is?
- What good is it?
- What protections does it offer the employer?

2

2 Pronged Test For Compensability



In The Course of Employment

- ▶ Time: not tied to the timeslock, but within a reasonable time frame to work or work activities
- ▶ Place: someplace they are reasonably expected to be
- ▶ Activity: Doing something they are reasonably expected to do for work or of benefit to the employer.

3

2 Pronged Test for Compensability



Arising out of Employment

- This is the work connectedness of the injury or the "Causal Connection"
- Is there a connection between the injury and the work
- Is there a connection between the diagnosis and the work duties

4

Parking Lot Falls

- Who owns and maintains the lot?
- What was the weather?
- What is the condition of the lot?
- Employee designated entrance/parking.

WE ARE LOOKING AT GREATER RISK



5

Slips and Falls

- What was the employee doing/carrying/performing?
- What is the condition of area?
- What was the actual cause?



6

Traveling Employees

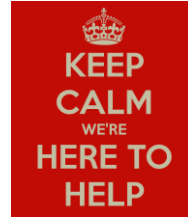
- Almost always covered.
- What were they driving?
- Where were they/what were they doing.
- Deviation from the normal route/activity.
- Reasonably expected behavior.



7

COVID-19

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8
