



# WORKERS COMPENSATION

LABOR AND EMPLOYMENT DIVISION

Workers' compensation claims can put a business or government in a vulnerable financial position. Our team works with our public and private sector clients to create risk management programs to decrease liability. If litigation is necessary, our seasoned litigators are prepared to vigorously defend your claim. We put you in a leveraged position at every stage in the life cycle of the litigation to make the key decision whether to obtain a favorable settlement or try the case.

Given our experience involving the intersections of insurance, government liability and the law of sovereign immunity, we are uniquely qualified to defend workers' compensation claims on behalf of public sector clients. For example, we successfully defended a complex claim involving the Florida Heart & Lung Bill, creating important precedent. The claim involved the interpretation of the statutory requirement of a pre-employment physical for law enforcement officers upon entering full duty service in order to obtain the benefits of the statutory presumption of compensability of heart disease. The First District Court of Appeal agreed with our argument that the 2001 amendment to the legislation, which added law enforcement officers to the scope of the statute, required police officers hired prior to the effective date to prove they successfully passed a pre-employment physical at the time of full duty service.

## OUR INSIGHT

Constant communication between your risk management department and your insurance representatives sets you up for a successful outcome.