

## Jacobs Law Group News

**Business Lawyers and Litigators**

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### **Which is covered by Worker's Compensation: An Work-related heart attack or a Heart attack that occurs at work?**

Under a recent Supreme Court opinion reversing decades of settles expectations, the answer is: maybe both.

Pennsylvania's Worker's Compensation law is supposed to compensate employees for physical injuries that occur at work. But what if the injury occurs at work but has nothing to do with their work, like a heart attack or colitis? Should that be covered by worker's compensation? The Supreme Court has not gone so far as to categorically place all physical injuries that occur at work within worker's compensation coverage, but a new decision comes pretty close to doing that.

In *Panyko v UCAB (US Airways)*, the Supreme Court found that purely physical injuries that occur while an employee is at work are covered by WC without the employee having to prove that the injury occurred as a result of harsh or abnormal working conditions. Merely proving that the physical injury was "related to work" is enough to bring it under WC coverage. A strongly worded dissent by one member of the Court argued that this low of a level of proof "blurred the distinction between a work-related heart attack and a heart attack that occurs at work."

This decision will be felt in the coming years as the bubble of baby boomers bring their ever-aging bodies to work. A wise employer will consider these facts in every routine employment situation to ensure that, should a physical injury ensue, it will not become a compensable WC injury without there being some significant workplace connection.

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