

**CASES FOR ARGUMENT BEFORE THE WCAB
FEBRUARY 20, 2019**

Bernard George v. Stairways Behavioral Health, A18-1187. Claimant is a mobile therapist who visits clients at various locations and was injured while involved in a motor vehicle accident when returning home from a client visit. The Workers' Compensation Judge found that the Claimant was not acting in the course of employment as a traveling employee when he was injured and denied the claim. The Claimant has appealed.

Calvin Phillips v. UPMC, A18-1135. Claimant sustained multiple severe injuries from a motorcycle accident which ultimately resulted in the amputation of his left leg. The Workers' Compensation Judge found that the Employer was not entitled to subrogation (that is to be reimbursed for the money it paid out in lost wages and medical benefits to Claimant) from the underinsured motorist benefits received by Claimant from his own automobile insurance policy, that Claimant was entitled to an award for specific loss benefits for the loss of the left leg along with compensation for lost wages for the time he missed from his other job with East End Baptist Church (concurrent employment), that Claimant was acting in the course of employment at the time of the accident as he was a traveling employee, that Employer had actual knowledge that the accident occurred while Claimant was in the scope of employment and that the description of the injury should be amended. The Employer has appealed and the Claimant has filed a cross appeal as to the issue that he also had concurrent employment with Bethany Christian Services and should also receive those wages that he lost from the injury.

Joy Kauffman v. Kellogg Companies, A18-1258. Claimant alleged a work-related injury in the form of a hip fracture when she slipped off of a machine. Employer filed a Notice of Denial arguing that no injury was sustained by Claimant as a result of the accident. Defendant's medical evidence was that Claimant suffered a spontaneous fracture. The Workers' Compensation Judge found that Claimant had not met her burden of proving that her fracture was caused by her work activities by unequivocal medical evidence and denied and dismissed Claimant's petition. The Claimant has appealed.