

## Meet the Team

Born in Brooklyn, NY, and raised in a small town south of Albany, Mike grew up with a love of the outdoors. Mike received his Bachelor's Degree, magna cum laude, from SUNY College of Environmental Science and Forestry and went on to receive his law degree from Western New England College School of Law. Professionally, Mike is a member of the New York State Bar Association, the Monroe County Bar Association, and the New York State Injured Workers Bar Association. His practice is 100% focused on Workers' Compensation and is committed to providing injured workers with the best possible service.

Today, Mike resides in Rochester with his wife (a Rochesterian) and daughter, and is enjoying all this area has to offer. The family loves to take advantage of the outdoors in every season, and are certainly enjoying the sun and warmer weather that Spring has brought. On any day you can find Mike working on projects around his house and the yard, tinkering on his cars, riding his motorcycle, or taking a walk and exploring the area with the family. Mike's passions are his family, helping injured workers, hunting, mechanics and carpentry.



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"Attorney Advertisement"

This issue:  
**Workers' Comp  
Law Changes**

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committed to serving you

Dear Client:

We hope you are enjoying the improving warm weather and the beauty that Spring and Summer bring to our area. As we enter the time of year for growth and new beginnings, we want to remind you that the work we do is based upon our commitment to each and every client to provide the best possible legal service to injured workers in Western New York.

In furtherance of our commitment to providing the highest quality of service to our clients, we want this newsletter to highlight some of the dramatic changes that were made to the Workers' Comp Law in March 2007. We strongly suggest you familiarize yourself with the following information for each injury you may have:

- 1) What is/are the date(s) of your injury(ies)?
- 2) Did the Workers' Compensation Board give you a WCB number for each date of injury? If not, contact us immediately.
- 3) Does your doctor feel that your injury(ies) has (have) or will result in a permanent disability? If so, and you have not had a hearing yet to address the permanency, contact us immediately.

Understanding the basic status of your claim(s) will help you in knowing what information is necessary for us to help resolve the issues in your case. Knowledge is power. We want to make sure we continually educate our clients to put you in the best position possible to maximize your benefits. This assessment and understanding will help us in our zealous representation of protecting your rights.

On behalf of the attorneys and staff at Connors & Ferris, we want to thank you for your trust, confidence and patience in our representation of you. It is truly our honor to represent you. It is also a team effort and we are most appreciative and proud to have you as a part of our team.

We also want to thank you and let you know how grateful we are for referring your family, friends and co-workers to us for their Workers' Comp, Social Security and motor vehicle accident claims. We truly are committed to serving you.

Respectfully,  
Your personal team at  
Connors & Ferris, LLP



**Workers' Comp News**

## THE WORKERS' COMPENSATION LAW HAS CHANGED.

As we are sure all of you know by now, a Bill changing the Workers' Compensation Law was passed by the New York Senate and the Assembly, and was signed by then Governor Spitzer on March 13, 2007. Although some of the changes did not become effective until July 1, 2007, many of the changes were effective as of March 13, 2007. It is imperative to note that although the changes may not have a tremendous effect upon claims where the date of accident/date of disablement is prior to March 13, 2007, any accidents or occupational diseases occurring on, or after, March 13, 2007, are affected. We hope that the following information will help simplify the complexities of the new law.

**CAPS ON BENEFITS** – permanent partial disability benefits (usually for neck, back and head injuries) will be capped based on loss of wage earning capacity. That is, depending on the injured workers' degree of permanent disability, a different number of weeks of payments are identified. In most instances, after the weeks of payments expire, the injured worker's weekly monetary benefits are terminated (although medical benefits will continue) and no further monetary benefits are available. This is a significant change in the law, as prior to 3/13/07, weekly benefits generally continued for life as long as you remained eligible.

**BENEFIT RATE INCREASE** – in an attempt to ease the pain of terminating weekly payments, the new law will increase the maximum rate of weekly compensation (unfortunately, said changes do not change the rate of compensation for claims prior to 7/1/07 and appear to assist only a limited number of workers).

- \$500 for dates of injuries occurring on or after 7/1/07
- \$550 for dates of injuries occurring on or after 7/1/08
- \$600 for dates of injuries occurring on or after 7/1/09
- 2/3 of the New York State average weekly wage for accidents occurring on or after 7/1/10.

THE FOLLOWING CHART IDENTIFIES THE LIMITS OF WHEN WEEKLY PPD BENEFITS WILL BE TERMINATED:

525 weeks (10.1 years)	96% or greater loss of wage earning capacity
500 weeks (9.6 years)	91-95% loss of wage earning capacity
475 weeks (9.1 years)	85-90% loss of wage earning capacity
450 weeks (8.6 years)	81-85% loss of wage earning capacity
425 weeks (8.2 years)	76-80% loss of wage earning capacity
400 weeks (7.7 years)	71-75% loss of wage earning capacity
375 weeks (7.2 years)	61-70% loss of wage earning capacity
350 weeks (6.7 years)	51-60% loss of wage earning capacity
300 weeks (5.8 years)	41-50% loss of wage earning capacity
275 weeks (5.3 years)	31-40% loss of wage earning capacity
250 weeks (4.8 years)	16-30% loss of wage earning capacity
225 weeks (4.3 years)	15% or less loss of wage earning capacity



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It is crucial to note that the benefit rate increase did not become effective until injuries on or after 7/1/07. However, the cap on permanent partial disability benefits became effective for injuries on or after 3/13/07. Unfortunately, the different dates have created a new group of second tier workers who are being referred to as "Gap Workers". These "Gap Workers" will not be entitled to an increase in weekly benefits, but will suffer from the cap on their benefits.

As many other dangerous changes have been made, we encourage all of our clients, past and present, as well as any family or friends, to contact our office immediately, especially if **injured after 3/13/07**.

**Be aware – The Workers' Compensation Board has begun implementing policies that can have a significant impact on the finalization of your claim(s).** You should make sure any and all of your friends, co-workers or family members that receive documentation from the Workers' Compensation Board have it reviewed by a trained and experienced Workers' Compensation attorney to ensure that they are not being short changed or taken advantage of by the insurance company. The Workers' Compensation Board is sending more of these letters that finalize an injured worker's claim without you understanding or appreciating the significance of the document. So make sure your friends, family and co-workers are aware that this is becoming a very common practice.