
Craddock Helps Secure a Victory for North Carolina Employers

NEWS | JUNE 13, 2014

Angela Farag Craddock helped secure a victory for North Carolina employers through an amicus brief written on behalf of the N.C. Association of Defense Attorneys, the N.C. Association of Self-Insurers, and the N.C. Chamber in a case before the N.C. Supreme Court. A majority of the Court of Appeals ruled that a workers' compensation claimant was not entitled to disability compensation where the Industrial Commission found his inability to find work was not due to his injury, but rather to large-scale economic factors. The dissenting opinion argued that a disabled worker should not bear the burden of unfavorable economic conditions that further diminish his ability to find suitable work, so the fact the plaintiff had made a reasonable effort to find other work should have been sufficient to support an award of ongoing disability compensation. In affirming the majority's decision below, the Supreme Court made clear that proving a loss of wage earning capacity alone is not enough to merit workers' compensation benefits, and that a claimant seeking disability compensation must also establish that his inability to find work was "because of" his work-related injury. The Supreme Court further noted that since an injured worker's ability to find new work is a function of both economic conditions and his physical limitations, consideration of economic factors is appropriately relevant to determining whether a claimant's inability to find a job was because of his work injury. The case is *Medlin v. Weaver Cooke Constr., LLC* (N.C., 2014).

CONTACT US

Phone: 919-782-6860

Fax: 919-782-6753

OFFICE

Young Moore and Henderson, P.A.

3101 Glenwood Ave. Suite 200

Raleigh, N.C. 27612

MAILING ADDRESS

Young Moore and Henderson, P.A.

P.O. Box 31627

Raleigh, N.C. 27622-1627