R.I. Gen. Laws § 28-29-2

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General Laws of Rhode Island > Title 28 Labor and Labor Relations (Chs. 1 — 60) > Chapter 29 Workers' Compensation — General Provisions (§§ 28-29-1 — 28-29-30)

28-29-2. Definitions.

In chapters 29 — 38 of this title, unless the context otherwise requires:

(1) "Department" means the department of labor and training.

(2) "Director" means the director of labor and training or his or her designee unless specifically stated otherwise.

(3)

(i) "Earnings capacity" means the weekly straight-time earnings that an employee could receive if the employee accepted an actual offer of suitable alternative employment. Earnings capacity can also be established by the court based on evidence of ability to earn, including, but not limited to, a determination of the degree of functional impairment and/or disability, that an employee is capable of employment. The court may, in its discretion, take into consideration the performance of the employee's duty to actively seek employment in scheduling the implementation of the reduction. The employer need not identify particular employment before the court can direct an earnings capacity adjustment. In the event that an employee returns to light-duty employment while partially disabled, an earnings capacity shall not be set based upon actual wages earned until the employee has successfully worked at light duty for a period of at least thirteen (13) weeks.

(ii) As used under the provisions of this title, "functional impairment" means an anatomical or functional abnormality existing after the date of maximum medical improvement as determined by a medically or scientifically demonstrable finding and based upon the sixth (6th) edition of the American Medical Association's Guide to the Evaluation of Permanent Impairment or comparable publications of the American Medical Association.

(iii) In the event that an employee returns to employment at an average weekly wage equal to the employee's pre-injury earnings exclusive of overtime, the employee will be presumed to have regained his/her earning capacity.

(4)

(i) "Employee" means any person who has entered into the employment of or works under contract of service or apprenticeship with any employer, except that in the case of a city or town other than the city of Providence it shall only mean that class or those classes of employees as may be designated by a city, town, or regional school district in a manner provided in this chapter to receive compensation under chapters 29 — 38 of this title. Any person employed by the state of Rhode Island, except for sworn employees of the Rhode Island state police, or by the Rhode Island airport corporation who is otherwise entitled to the benefits of *chapter 19 of title 45* shall be subject to the provisions of chapters 29 — 38 of this title for all case management procedures and dispute resolution for all benefits.

(ii) The term "employee" does not include any individual who is a shareholder or director in a corporation, general or limited partners in a general partnership, a registered limited-liability partnership, a limited partnership, or partners in a registered limited-liability limited partnership, or

any individual who is a member in a limited-liability company. These exclusions do not apply to shareholders, directors, and members who have entered into the employment of or who work under a contract of service or apprenticeship within a corporation or a limited-liability company.

(iii) The term "employee" also does not include a sole proprietor, independent contractor, or a person whose employment is of a casual nature, and who is employed other than for the purpose of the employer's trade or business, or a person whose services are voluntary or who performs charitable acts, nor shall it include the members of the regularly organized fire and police departments of any town or city except for appeals from an order of the retirement board filed pursuant to the provisions of *§ 45-21.2-9*; provided, however, that it shall include the members of the police and aircraft rescue and firefighting (ARFF) units of the Rhode Island airport corporation.

(iv) Whenever a contractor has contracted with the state, a city, town, or regional school district, any person employed by that contractor in work under contract shall not be deemed an employee of the state, city, town, or regional school district as the case may be.

(v) Any person who on or after January 1, 1999, was an employee and became a corporate officer shall remain an employee, for purposes of these chapters, unless and until coverage under this act is waived pursuant to *§ 28-29-8(b)* or *§ 28-29-17*. Any person who is appointed a corporate officer between January 1, 1999, and December 31, 2001, and was not previously an employee of the corporation, will not be considered an employee, for purposes of these chapters, unless that corporate officer has filed a notice pursuant to *§ 28-29-19(c)*.

(vi) In the case of a person whose services are voluntary or who performs charitable acts, any benefit received, in the form of monetary remuneration or otherwise, shall be reportable to the appropriate taxation authority but shall not be deemed to be wages earned under contract of hire for purposes of qualifying for benefits under chapters 29 — 38 of this title.

(vii) Any reference to an employee who had been injured shall, where the employee is dead, include a reference to his or her dependents as defined in this section, or to his or her legal representatives, or, where he or she is a minor or incompetent, to his or her conservator or guardian.

(viii) A "seasonal occupation" means those occupations in which work is performed on a seasonal basis of not more than sixteen (16) weeks.

(5) "Employer" includes any person, partnership, corporation, or voluntary association, and the legal representative of a deceased employer; it includes the state, and the city of Providence. It also includes each city, town, and regional school district in the state that votes or accepts the provisions of chapters 29 — 38 of this title in the manner provided in this chapter or is a party to an appeal from an order of the retirement board filed pursuant to the provisions of *§ 45-21.2-9*.

(6) "General or special employer":

(i) "General employer" includes but is not limited to temporary help companies and employee leasing companies and means a person who for consideration and as the regular course of its business supplies an employee with or without vehicle to another person.

(ii) "Special employer" means a person who contracts for services with a general employer for the use of an employee, a vehicle, or both.

(iii) Whenever there is a general employer and special employer wherein the general employer supplies to the special employer an employee and the general employer pays or is obligated to pay the wages or salaries of the supplied employee, then, notwithstanding the fact that direction and control is in the special employer and not the general employer, the general employer, if it is subject to the provisions of the workers' compensation act or has accepted that act, shall be deemed to be the employer as set forth in subsection (5) of this section and both the general and special employer shall be the employer for purposes of *§§ 28-29-17* and *28-29-18*.

(iv) Effective January 1, 2003, whenever a general employer enters into a contract or arrangement with a special employer to supply an employee or employees for work, the special employer shall require an insurer generated insurance coverage certification, on a form prescribed by the department, demonstrating Rhode Island workers' compensation and employer's liability coverage evidencing that the general employer carries workers' compensation insurance with that insurer with no indebtedness for its employees for the term of the contract or arrangement. In the event that the special employer fails to obtain and maintain at policy renewal and thereafter this insurer generated insurance coverage certification demonstrating Rhode Island workers' compensation and employer's liability coverage from the general employer, the special employer is deemed to be the employer pursuant to the provisions of this section. Upon the cancellation or failure to renew, the insurer having written the workers' compensation and employer's liability policy shall notify the certificate holders and the department of the cancellation or failure to renew and upon notice, the certificate holders shall be deemed to be the employer for the term of the contract or arrangement unless or until a new certification is obtained.

(7) "Independent contractor" means a person who has filed a notice of designation as independent contractor with the director pursuant to *§ 28-29-17.1* or as otherwise found by the workers' compensation court.

(8)

(i) "Injury" means and refers to personal injury to an employee arising out of and in the course of his or her employment, connected and referable to the employment.

(ii) An injury to an employee while voluntarily participating in a private, group, or employer-sponsored carpool, vanpool, commuter bus service, or other rideshare program, having as its sole purpose the mass transportation of employees to and from work shall not be deemed to have arisen out of and in the course of employment. Nothing in the foregoing provision shall be held to deny benefits under chapters 29 — 38 and chapter 47 of this title to employees such as drivers, mechanics, and others who receive remuneration for their participation in the rideshare program. Provided, that the foregoing provision shall not bar the right of an employee to recover against an employer and/or driver for tortious misconduct.

(9) "Maximum medical improvement" means a point in time when any medically determinable physical or mental impairment as a result of injury has become stable and when no further treatment is reasonably expected to materially improve the condition. Neither the need for future medical maintenance nor the possibility of improvement or deterioration resulting from the passage of time and not from the ordinary course of the disabling condition, nor the continuation of a preexisting condition precludes a finding of maximum medical improvement. A finding of maximum medical improvement by the workers' compensation court may be reviewed only where it is established that an employee's condition has substantially deteriorated or improved.

(10) "Physician" means medical doctor, surgeon, dentist, licensed psychologist, chiropractor, osteopath, podiatrist, or optometrist, as the case may be.

(11) "Suitable alternative employment" means employment or an actual offer of employment that the employee is physically able to perform and will not exacerbate the employee's health condition and that bears a reasonable relationship to the employee's qualifications, background, education, and training. The employee's age alone shall not be considered in determining the suitableness of the alternative employment.

History

P.L. 1912, ch. 831, art. 5, § 1; P.L. 1917, ch. 1534, § 5; P.L. 1920, ch. 1900, § 1; G.L. 1923, ch. 92, art. 8, § 1; G.L. 1938, ch. 300, art. 9, § 1; P.L. 1950, ch. 2627, § 1; P.L. 1954, ch. 3297, § 1; G.L. 1956, § **28-29-2**; P.L. 1960, ch. 182, § 1; P.L. 1970, ch. 277, § 2; P.L. 1980, ch. 277, § 3; P.L. 1982, ch. 32, art. 1, § 1; P.L. 1984, ch. 142, art. 5, § 7; P.L. 1984 (s.s.), ch. 450, § 3; P.L. 1985, ch. 365, § 4; P.L. 1986, ch. 507, § 1; P.L. 1990, ch. 332, art. 1, § 1; P.L. 1991, ch. 206, § 1; *P.L. 1992, ch. 31, § 2*; *P.L. 1994, ch. 101, § 2*; *P.L. 1994, ch. 401, § 2*; *P.L. 1995, ch. 44, § 1*; *P.L. 1995, ch. 315, § 1*; *P.L. 1998, ch. 32, § 1*; *P.L. 1998, ch. 105, § 1*; *P.L. 1998, ch. 404, § 1*; *P.L. 1999, ch. 216, § 5*; *P.L. 1999, ch. 384, § 5*; *P.L. 2000, ch. 491, § 1*; *P.L. 2001, ch. 256, § 1*; *P.L. 2001, ch. 355, § 1*; *P.L. 2002, ch. 65, art. 14, § 1*; *P.L. 2002, ch. 119, § 2*; *P.L. 2002, ch. 280, § 2*; *P.L. 2004, ch. 273, § 1*; *P.L. 2004, ch. 293, § 1*; *P.L. 2005, ch. 342, § 1*; *P.L. 2005, ch. 403, § 1*; *P.L. 2008, ch. 377, § 1*; *P.L. 2010, ch. 95, § 1*; *P.L. 2010, ch. 121, § 1*; *P.L. 2011, ch. 151, art. 12, § 3*.

Annotations

Effective Dates.

P.L. 2005, ch. 342, § 7, and *P.L. 2005, ch. 403, § 7*, state that "This act shall take effect upon passage [July 19, 2005] with the exception of *section **28-29-2** (6)(iv)* which shall take effect on January 1, 2006."

Applicability.

P.L. 2008, ch. 377, § 5, provides that the amendment to this section by that act shall not abrogate or affect substantive rights or pre-existing agreements, preliminary determinations, orders or decrees; provided, however, that the amendment to this section takes effect upon passage [July 8, 2008] and shall be applied retroactively to December 22, 2007, regardless of the date of injury.

Cross References.

Coverage of City of Providence employees, *§ 28-31-1.1*.

NOTES TO DECISIONS

Constitutionality.

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Constitutionality.

Exclusion of casual employees was not an unreasonable classification and did not render the statute unconstitutional. *Sayles v. Foley, 38 R.I. 484, 96 A. 340, 1916 R.I. LEXIS 7 (1916)*.

Burden of Proof.

Claimant had the burden of proof on employment relation. *Pasetti v. Brusa, 81 R.I. 88, 98 A.2d 833, 1953 R.I. LEXIS 17 (1953)*.

Casual Employment.

Employment by street railway company to shovel snow from tracks was for the purpose of the employer's business. *Gibbons v. United Elec. Rys. Co., 48 R.I. 353, 138 A. 175, 1927 R.I. LEXIS 136 (1927)*.

Casual employee was not excluded where the employment was for the purpose of the employer's business. *Gibbons v. United Elec. Rys. Co., 48 R.I. 353, 138 A. 175, 1927 R.I. LEXIS 136 (1927)*; *Leva v. Caron Granite Co., 84 R.I. 360, 124 A.2d 534, 1956 R.I. LEXIS 71 (1956)*.

Employment was not casual even though employee was paid by the hour and worked only when not required on another job. *Johnson v. Lanifero, 73 R.I. 238, 54 A.2d 412, 1947 R.I. LEXIS 80 (1947)*.

Factors to be considered in determining whether employment is casual are: whether the services rendered are necessary to the conduct and furtherance of the business, the duration of the employment, the regularity of recurrence, the predictability. *DiRaimo v. DiRaimo, 117 R.I. 703, 370 A.2d 1284, 1977 R.I. LEXIS 1741 (1977)*.

Where plaintiff worked in his father's store up to six or seven hours a day where otherwise unemployed and where he put in between 20 and 30 hours at the store during the week prior to the mishap, and where his duties included making deliveries, stocking and dusting shelves, including conducting the entire operation of the store when his mother was out, he was not a casual employee. *DiRaimo v. DiRaimo, 117 R.I. 703, 370 A.2d 1284, 1977 R.I. LEXIS 1741 (1977)*.

Earnings Capacity.

Although this section allows computation of a theoretical earnings capacity if an employee has worked at light duty for at least thirteen weeks, actual wages are a more accurate means of comparison than earnings capacity. *Wehr, Inc. v. Truex, 700 A.2d 1085, 1997 R.I. LEXIS 267 (R.I. 1997)*.

It is clear from the plain and ordinary meaning of the language of this provision that an earnings capacity may be set in many different ways, whether it be by the use of a functional impairment rating or an employee's actual disability, or both. *Star Enters. v. DelBarone, 746 A.2d 692, 2000 R.I. LEXIS 36 (R.I. 2000)*.

This provision absolves an employer from identifying "particular employment" before the court can direct an earnings capacity adjustment. *Star Enters. v. DelBarone, 746 A.2d 692, 2000 R.I. LEXIS 36 (R.I. 2000)*.

Employee.

The enactment of the Workers' Compensation Act changed the common-law meaning of the word "employee" and subdivision (b) (now subdivision (4)) is now the definitive test for determining the status of an employee. *DiRaimo v. DiRaimo, 117 R.I. 703, 370 A.2d 1284, 1977 R.I. LEXIS 1741 (1977)*.

An interstate truck driver who worked out of a Rhode Island terminal, but was actually hired in another state could not assert a claim in Rhode Island since his employment contract was not made in Rhode Island. *Miles v. Bendix Corp., 492 A.2d 1218, 1985 R.I. LEXIS 508 (R.I. 1985)*.

The fact that an employee worked part time, was paid less, and was not a carpenter does not preclude his being an employee under the act, nor does it render his employment casual as defined by *§ 28-29-6*. *Laliberte v. Salum, 503 A.2d 510, 1986 R.I. LEXIS 381 (R.I. 1986)*.

Owner of company which was not a corporation and therefore was not a separate entity could not be the company's employee. *Laliberte v. Salum, 503 A.2d 510, 1986 R.I. LEXIS 381 (R.I. 1986)*.

A crash-rescue crewmember who is injured while performing his duties is excluded from the Workers' Compensation Act definition of "employee," and therefore, the Workers' Compensation Commission is without jurisdiction to hear such a claim. *Labbadia v. State, 513 A.2d 18, 1986 R.I. LEXIS 534 (R.I. 1986)*.

In order for an employer-employee relationship to exist, the services performed must be voluntary on the part of the employees. Wages must be paid and the two parties must be capable of giving their consent to enter into the relationship. *Durand v. City of Woonsocket, 537 A.2d 129, 1988 R.I. LEXIS 29 (R.I. 1988)*.

An employee is not an insured under the Workers' Compensation Act. *Cianci v. Nationwide Ins. Co., 659 A.2d 662, 1995 R.I. LEXIS 155 (R.I. 1995)*.

— Corporate Officer.

Corporate officer and stockholder was an employee while doing nonexecutive work of the type usually done by employees. *Sormanti v. Marsor Jewelry Co., 83 R.I. 438, 118 A.2d 339, 1955 R.I. LEXIS 79 (1955)*.

Officer of corporation who owned 51% of outstanding stock could under the evidence be held to be an employee. *Davies v. Stillman White Foundry Co., 91 R.I. 337, 163 A.2d 44, 1960 R.I. LEXIS 101 (1960)*.

Where the president and sole stockholder of a corporation applied for workers' compensation, the evidence before the commission was sufficient to establish that there was no one who could exercise control over him, he was not an employee and did not come within the provisions of the Workers' Compensation Act. *Cohen v. Best Made Mfg. Co., 92 R.I. 370, 169 A.2d 10, 1961 R.I. LEXIS 44 (1961)*.

— Physician.

Physician treating an injured employee does not come within the definition of "employee." *Henry v. American Enamel Co., 48 R.I. 113, 136 A. 3, 1927 R.I. LEXIS 21 (1927)*; *Wynne v. Pawtuxet Valley Dyeing Co., 101 R.I. 455, 224 A.2d 612, 1966 R.I. LEXIS 414 (1966)*.

The term "employee" does not include his physician. *Wynne v. Pawtuxet Valley Dyeing Co., 101 R.I. 455, 224 A.2d 612, 1966 R.I. LEXIS 414 (1966)*.

— Police.

Given the exclusion of police officers from the overall scheme of workers' compensation pursuant to this section, there was no reason to expand the meaning of "compensation" to include a former police officer's injured-on-duty payments or medical disability pension received as the result of a collective bargaining agreement, and not as "workers' compensation" proper. *Vector Health Sys. v. Revens, 643 A.2d 795, 1994 R.I. LEXIS 191 (R.I. 1994)*.

General and Special Employers.

Receiver's employee assigned temporarily to work for receiver as an individual remained an employee of the receiver in his fiduciary capacity where he did not know that the work was for the receiver individually and did not consent to a change of employment. *Anderson v. Polleys, 53 R.I. 182, 165 A. 436, 1933 R.I. LEXIS 60 (1933)*.

Employee was for the purposes of the statute the employee of corporation by which he reasonably understood himself to be employed, even though he worked on project of and was paid by another corporation with the same officers, directors, and offices, where he had no reason to know of and did not consent to transfer. *Gaspar v. Callan Constr. Co., 67 R.I. 363, 23 A.2d 759, 1942 R.I. LEXIS 2 (1942)*.

A person hired by the lessor of a tractor to assist in operating the tractor and handling merchandise in transport for the defendant lessee, is not an employee of the lessee and lessee is therefore not liable for workers' compensation for injuries received during the trip, the test being whether the lessee has the right to exercise power of control over the person hired. *Beany v. Paul Arpin Van Lines Co., 98 R.I. 193, 200 A.2d 592, 1964 R.I. LEXIS 149 (1964)*.

Lack of workers' compensation liability on the part of a general employer because of its not employing the required minimum number of employees does not make the special employer liable. *Chartier v. North Central Airways, 102 R.I. 81, 228 A.2d 539, 1967 R.I. LEXIS 648 (1967)*.

One who requests the pilot-employee of a general employer from whom he has occasionally borrowed that employee under an arrangement for payment to the general employer to fly a plane to Bridgeport for radio repairs and to take an employee to New Haven on personal business, without any arrangement with that pilot's general employer is not a special employer of that pilot during the requested flight. *Chartier v. North Central Airways, 102 R.I. 81, 228 A.2d 539, 1967 R.I. LEXIS 648 (1967)*.

A general employer is liable for workers' compensation to an employee who is injured while performing work for special employer even if the conduct was specifically prohibited by the general employer where that conduct included the method and manner of doing the job and the employee was reasonably fulfilling duties of his employment. *D'Andrea v. Manpower, Inc., 105 R.I. 108, 249 A.2d 896, 1969 R.I. LEXIS 724 (1969)*.

A literal application of subsection (3)(C)'s [now see *§ **28-29-2**(6)*] designation of the general employer as the employer in *§ 28-29-20*, thereby allowing an employee who has received workers' compensation benefits to maintain a tort action against his special employer, destroys the compromise that is the foundation of the Workers' Compensation Act. Such a construction would have the effect of encouraging litigation by employees that have received workers' compensation benefits, the exact opposite of what the legislature intended. Therefore, a special employer is an entity granted immunity from suit by *§ 28-29-20*. *Sorenson v. Colibri Corp., 650 A.2d 125, 1994 R.I. LEXIS 267 (R.I. 1994)*.

When an employee assigned by an employment agency to work for an employer was injured on the job, an affidavit from the employer stating that it paid the agency for the employee's services was sufficient to show the employer contracted with the agency for those services, making the employer a "special employer," under *R.I. Gen. Laws § **28-29-2**(6)(ii)*, so the employer was immune from the employee's suit, under *R.I. Gen. Laws § 28-29-20*, because the immunity the statute provided was intended to apply to special employers. *Urena v. Theta Prods., 899 A.2d 449, 2006 R.I. LEXIS 89 (R.I. 2006)*.

Language of *R.I. Gen. Laws § 28-29-20*, making an employer immune from suit when an employee was entitled to benefits under the Workers' Compensation Act, *R.I. Gen. Laws § 28-29-1* et seq., applied to "employers," and the legislature intended this term to include both "general employers" and "special employers," the former term referring to temporary worker agencies, and the latter term referring to the companies that use their services. *Urena v. Theta Prods., 899 A.2d 449, 2006 R.I. LEXIS 89 (R.I. 2006)*.

Nothing in the language of *R.I. Gen. Laws § **28-29-2*** required proof of payment to a general employer by a special employer to establish one's status as a special employer, as, on the contrary, the plain language of *§ **28-29-2*** said that one's status as a special employer arose by virtue of a "contract" with the general employer for the "use of an employee," under *R.I. Gen. Laws § **28-29-2**(6)(ii)*. *Urena v. Theta Prods., 899 A.2d 449, 2006 R.I. LEXIS 89 (R.I. 2006)*.

Going and Coming to Work.

The "going-and-coming rule" of workers' compensation generally operates to deny compensation when injury occurs while the employee is traveling to or from the workplace. It also denies coverage to employees injured on the employer's premises but before commencement or after completion of the fixed work shift. *Branco v. Leviton Mfg. Co., 518 A.2d 621, 1986 R.I. LEXIS 557 (R.I. 1986)*.

An exception to the "going-and-coming rule" is applied in those situations in which (1) the employer owns and maintains an employee parking area separate from its plant-facility grounds, (2) the employer takes affirmative action to control the route of the employee by directing the employee to park in that separate area, and (3) the employee is injured while traveling directly from the lot to the plant facility. *Branco v. Leviton Mfg. Co., 518 A.2d 621, 1986 R.I. LEXIS 557 (R.I. 1986)*.

An employee failed to prove by a fair preponderance of the evidence that her injuries arose out of and in the course of her employment with an employment agency, as her participation in the agency's vanpool program to a factory job site was voluntary. *Claros v. Highland Employment Agency, 643 A.2d 212, 1994 R.I. LEXIS 194 (R.I. 1994)*.

Independent Contractor.

Whether a person is an employee or an independent contractor must be determined by the common law. *Henry v. Mondillo, 49 R.I. 261, 142 A. 230, 1928 R.I. LEXIS 48 (1928)*.

A carpenter who was paid weekly by the hour, whose work was under the control and direction of the employer, who could be moved from job to job by the employer, who was never consulted about the cost of a job, who ordered materials and had them charged to the employer, but who furnished his own tools and transportation from job to job, from whose pay no income tax or social security tax was deducted, and who paid his own income and social security taxes as a self-employed person was not an employee, but an independent contractor. *Di Orio v. R. L. Platter, Inc., 100 R.I. 117, 211 A.2d 642, 1965 R.I. LEXIS 359 (1965)*.

Maximum Medical Improvement.

Mere possibility that surgery might improve the employee's condition did not preclude a finding that the employee had reached maximum medical improvement, because the employee's refusal to undergo the sole treatment recommended ensured that the employee's condition had, in all likelihood, become stable. *City of Pawtucket v. Pimental, 960 A.2d 981, 2008 R.I. LEXIS 108 (R.I. 2008)*.

Personal Errands.

When an employee makes a relatively brief and uncomplicated stop for a personal errand or social purpose in the course of a business journey, once the personal errand is completed and the employee resumes a course that is reasonably related to the employer's business, he or she returns to the course of employment and injuries sustained thereafter are compensable. *LaPlante v. Taylor Box Co., 518 A.2d 911, 1986 R.I. LEXIS 565 (R.I. 1986)*.

Prison Inmates.

This section does not provide workers' compensation coverage to inmates performing labor while confined at the adult correction institution, as no employer-employee relationship exists in such circumstances. *Spikes v. State, 458 A.2d 672, 1983 R.I. LEXIS 850 (R.I. 1983)*.

Suitable Alternative Employment.

A seven-year delay in notice was not reasonable where the petitioner had neither refused an offer of suitable alternative employment nor did he request that his employer characterize the offered job as such. *Rezendes v. American Insulated Wire, 754 A.2d 110, 2000 R.I. LEXIS 93 (R.I. 2000)*.

Collateral References.

Application for, or award, denial or acceptance of compensation under state workers' compensation act as precluding action under Federal Employers Liability Act by one engaged in interstate commerce within that Act. 6 A.L.R.2d 581.

Compensability under occupational disease statutes of emotional distress or like injury suffered by claimant as result of nonsudden stimuli. 113 A.L.R.5th 115.

"Dual capacity doctrine" as basis for employee's recovery for medical malpractice from company medical personnel. 73 A.L.R.4th 115.

"Dual capacity doctrine" as basis for employee's recovery from employer in tort — modern status. 23 A.L.R.4th 1151.

Eligibility for workers' compensation as affected by claimant's misrepresentation of health or physical condition at time of hiring. 12 A.L.R.5th 658.

Employer's tort liability to worker for concealing workplace hazard or nature or extent of injury. 9 A.L.R.4th 778.

Juror as within coverage of workers' compensation acts. 13 A.L.R.5th 444.

Modern status of effect of state workers' compensation act on right of third-person tortfeasor to contribution or indemnity from employer of injured or killed worker. 100 A.L.R.3d 350.

Ownership interest in employer business as affecting status as employee for workers' compensation purposes. 78 A.L.R.4th 973.

Presumption or inference that accidental death of employee engaged in occupation of manufacturing or processing arose out of and in course of employment. 47 A.L.R.5th 801.

Right to workers' compensation for emotional distress or like injury suffered by claimant as result of nonsudden stimuli — Compensability under particular circumstances. 108 A.L.R.5th 1.

Right to workers' compensation for emotional distress or like injury suffered by claimant as result of nonsudden stimuli — Requisites of, and factors affecting, compensability. 106 A.L.R.5th 111.

Right to workers' compensation for emotional distress or like injury suffered by claimant as a result of sudden emotional stimuli involving personnel action. 82 A.L.R.5th 149.

Right to workers' compensation for physical injury or illness suffered by claimant as result of nonsudden mental stimuli — Compensability of particular physical injuries or illnesses. 112 A.L.R.5th 509.

Right to workers' compensation for physical injury or illness suffered by claimant as result of sudden mental stimuli — Compensability under particular circumstances. 107 A.L.R.5th 441.

Right to workers' compensation for physical injury or illness suffered by claimant as result of nonsudden mental stimuli — Requisites of, and factors affecting, compensability. 13 A.L.R.6th 209.

Right to workers' compensation for physical injury or illness suffered by claimant as result of sudden mental stimuli — Compensability of particular injuries and illnesses. 20 A.L.R.6th 641.

Suicide and Injuries from Suicide Attempts as Compensable Under Workers' Compensation Laws—21st Century Cases. 83 A.L.R.7th Art. 2 (2023).

What conduct is willful, intentional, or deliberate within Workers' Compensation Act provision authorizing tort action for such conduct. 96 A.L.R.3d 1064.

When does statute of limitations begin to run upon an action by subrogated insurer against third-party tortfeasor. 91 A.L.R.3d 844.

Workers' Compensation Act as furnishing exclusive remedy for employee injured by product manufactured, sold, or distributed by employer. 9 A.L.R.4th 873.

Workers' Compensation Benefits for Professional Athletes. 77 A.L.R.7th Art. 6 (2023).

Workers' compensation: compensability of injury during tryout, employment test, or similar activity designed to determine employability. 8 A.L.R.5th 798.

Workers' compensation: law enforcement officer's recovery for injury sustained during exercise or physical recreation activities. 44 A.L.R.5th 569.

Workers' Compensation: Nonathlete Students as Covered Employees. 33 A.L.R.6th 251.

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