

SEPTEMBER 2016

# WORKERS COMPENSATION LEGAL GUIDE



MAGGIANO,  
DIGIROLAMO  
& LIZZI, P.C.

*COURAGE Defines Us. JUSTICE Drives Us. CLIENTS Inspire Us.*

BY: **Christopher  
DiGirolamo**

## TOP INJURED WORKER ATTORNEY IN NEW JERSEY

Recognized by the Workers'  
Injury Law & Advocacy Group

## 10 YEARS NEW JERSEY SUPER LAWYER

For his dedication to his practice and to the protection of the rights and benefits that every worker is entitled to, attorney DiGirolamo has built a strong reputation based on success in the courtroom and achieving the results that his clients deserve. There is no case or claim too large or small. He handles every case with the same tenacity and determination with one goal: PROTECTING THE RIGHTS OF THE INJURED WORKER.



**MAGGIANO  
DIGIROLAMO  
LIZZI**

**MAGGIANO, DIGIROLAMO & LIZZI IS  
RECOGNIZED IN FORT LEE, NEW JERSEY  
AND NEW YORK, NEW YORK AS A PRACTICE  
THAT DEDICATES RELENTLESS DEVOTION  
TO YOUR PERSONAL INJURY CASE.**

**(201) 817-4187**

[www.maggianolaw.com](http://www.maggianolaw.com)

**CALL US NOW. IT'S FREE & CONFIDENTIAL.**

# A WORKERS GUIDE TO WORKERS COMPENSATION IN NEW JERSEY

INTRODUCTION

THE ELEMENTS BEHIND WORKERS COMPENSATION

FAMILY & MEDICAL LEAVE ACT

YOUR RIGHT TO FILE SUIT

ASBESTOS RELATED INJURIES

MEDICAL MALPRACTICE

EMPLOYMENT LAW

STATUTE OF LIMITATIONS

FREQUENTLY ASKED QUESTIONS

RESOURCES

## NEW JERSEY OFFICE

201 Columbia Avenue  
Fort Lee, NJ 07024  
(201) 817-4321

## FOLLOW US ON SOCIAL MEDIA



# OVERVIEW

## WORKERS COMPENSATION LEGAL GUIDE

by: Christopher DiGirolamo



*"The strength and drive that continues to motivate me 20 years after beginning my practice, comes from the responsibility bestowed upon me by my clients. The effort to build a bond of unconditional trust with each new client focuses my determination to most effectively represent each injured individual without ever tiring of the challenge."*

### **Did you suffer an injury at work and now need guidance dealing with your claim?**

At Maggiano, DiGirolamo & Lizzi, we have the experience to protect your rights and make sure you get all the workers compensation benefits available to you.

Unless you have already had a work related injury, chances are you are probably unaware of what you should do in the event that one occurs. For instance, did you know that you are supposed to give notice of your work-

related injury right after it happens? Did you know that you are entitled to benefits including full payment for medical bills and temporary disability for the period that you are out of work if you are medically disabled from doing your job? It is difficult and intimidating but as an injured worker you have benefits that will help you during your time of need. These are all things that you must keep in mind when you are involved in a workplace accident. The best way to protect your rights is to retain a lawyer with experience handling

workers compensation claims. The attorneys at Maggiano, DiGirolamo and Lizzi have been successfully handling workers compensation matters for over 40 years and have the experience to ensure your rights are protected.

By reading our workers' compensation guide, you will learn about the numerous benefits available to the injured worker.

We are there for you every step of the way.

Our helpful eBook also covers the Family and Medical Leave Act (FMLA), which requires employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees. In the event of a serious health condition, you want to understand your rights and know that if you need time away from work to recover your job will be protected until you are able to return to work and perform to full capacity.

It is important to realize that employers have duties and responsibilities they owe to their employees. Employers must be able to make fair determinations of whether or not the leave request qualifies for FMLA protection. If they wrongfully deny FMLA leave, they can be subject to legal action.

It is important to read our eBook and understand your rights if you have been discriminated against in the workplace after sustaining an injury on the job. Are you feeling helpless after you have been injured? Do you need our help? This book is a good start to understanding your case and what rights you have throughout the process.

### **Where do we come in? How can we be of help?**

You will also learn in our Workers' Compensation Legal Guide that you have a right to file a claim petition, which is where we come in to help you fight for your rights. After a workplace incident, your employer or their insurance company may try and deny you benefits you are entitled to and if so, we will file a claim in Court on your behalf. You also need an attorney to represent you in order to seek a monetary compensation award.

Under certain circumstances, you may have been injured while on the job, but your injury may have been caused by a third party. We can review the facts of the injury and make a determination if you have a workers compensation claim as well as a lawsuit against the third party that caused your injury. Along with helping you make these determinations, we will also debunk some of the most common myths about third party lawsuits and inform you of the statute of limitations. This is why it is important to read our vital guide if you have become injured.

Check out our eBook today and call us if you need guidance in any aspect of your workplace injury case.

### **NEW JERSEY OFFICE**

201 Columbia Avenue  
Fort Lee, NJ 07024  
(201) 817-4321

### **FOLLOW US ON SOCIAL MEDIA**





# WORKERS COMPENSATION

*What to do if you are  
injured at work.*

## Did you know?

- Medical care must be paid for by your employer if you get hurt on the job—whether or not you miss time from work.
- You may be eligible to receive benefits even if you are a temporary or part-time worker.
- You may be covered by workers' compensation as an employee even if you are called an "independent contractor."
- You don't have to be a legal resident of the United States to receive most workers' compensation benefits.
- You receive benefits no matter who was at fault for your job injury.
- You can't sue your employer for a job injury (in most cases).
- It's illegal for your employer to punish or fire you for having a job injury or for requesting workers' compensation benefits when
- you believe your injury was caused by your job.

## REPORT THE ACCIDENT

You should give notice of your work-related injury, illness or disease to your employer as soon as possible, even if you have not missed work. You must tell your employer that you were hurt or injured, and that the injury happened due to your job and while you were working. You must notify your employer of the injury immediately and provide an accurate history of how the injury occurred. Documentation of the injury and how it happened is critical.

If you believe that you need medical treatment and your supervisor refuses to send you to a doctor, you can seek emergency care at a hospital. If you seek treatment with doctor on your own without advising your employer, it will jeopardize your case. Your employer has the right to choose the doctor that will treat you. If they will not send you to a doctor, then you need to contact a lawyer immediately. At MDL, we will guide you through the process of your initial claim is denied by your employer and get into court as soon as possible to get you benefits.

**MAKE SURE TO TELL THE DOCTOR  
HOW YOU WERE INJURED AT WORK.  
WORKERS' COMPENSATION – HOW,  
WHEN, AND WHY TO RETAIN AN  
ATTORNEY**



*In 2016, the maximum temporary workers' compensation benefits is \$871.00 per week. These benefits are not taxable income.*

---



The sooner you consult with an attorney, the better. Even if you decide that you do not want to proceed with a Workers' Compensation case, it is wise to speak with an attorney.

In New Jersey, there is a two-year statute of limitation that applies in Workers' Compensation cases. This means that a formal claim petition must be filed within two years of the date of injury or the date of last payment of compensation, whichever is later. In cases of occupational illnesses, for example, carpal tunnel syndrome, asthma, or hearing loss, the claim petition must be filed within two years from the date the worker first became aware of the condition and its relationship to employment.

**IF YOU CANNOT WORK WHILE RECOVERING FROM AN "ON THE JOB INJURY" YOU ARE ENTITLED TO TEMPORARY DISABILITY BENEFITS FOR THE PERIOD YOU ARE OUT OF WORK.**

The laws of New Jersey provide that you are entitled to Temporary Workers' Compensation Benefits if you are: (1) Not able to work, even at a light duty position; AND (2) under active medical treatment. Temporary Workers' Compensation Benefits start after the seventh day that you are unable to work at which time you will receive 70% of your lost wages (up to a maximum amount set by statute) going back to the first day that you are out of work.

In 2016, the maximum temporary workers' compensation benefits is \$871.00 per week. These benefits are not taxable income.



# DISABILITY BENEFITS



Permanent Partial Disability is an amount of money to compensate you for the loss of function you have suffered from the work related disability. This loss of function is almost always identified by a percentage of the loss of function of the specific body part injured. The particular percentage of the award in your case will depend upon many things, including the amount of time you were out of work, how the injury impacts your ability to perform your job and how it affects your personal life.

If your injury is profound and prevents you from working, you may be entitled to permanent total disability benefits for the rest of your life.

Workers' Compensation benefits are not taxable income and are usually paid over a period of time. Most cases are resolved in about one to three years after treatment is completed.

The attorneys' fees in contested Workers' Compensation cases are contingent, thus, there are no attorneys' fees if you do not win. Only a Workers' Compensation judge can award an attorneys' fee. The fee will be no more than 20% of your award and you are only responsible to pay a portion of the 20% fee, your employer's insurance company pays the rest.

## **SIGNING DOCUMENTS**

It is important that you not sign any document that you do not fully and completely understand. Furthermore, you should always verify anything told to you by the adjuster handling your workers' compensation case with a qualified Workers' Compensation attorney. Always have a workers' compensation document explained fully to you by an attorney. Signing the wrong document could result in suspension of benefits to which you are entitled while you are still disabled.



# SOCIAL SECURITY DISABILITY

You may also be entitled to Social Security Disability if you cannot work.

You should apply for Social Security Disability where you live. If you live in New York or New Jersey, it may be advisable to retain an attorney from the beginning of your Social Security Disability application process.

In order to qualify for Social Security Disability, you must be considered totally disabled from performing any substantial, gainful work and you must be disabled or expected to be disabled for at least 12 months.

The Social Security Administration (SSA) may consider other sources of income, such as Workers' Compensation benefits, in determining the amount of a disability entitlement.

Your local Social Security office will supply all necessary applications and provide assistance in completing all forms for Social Security Disability, however, it also makes sense to review your case with an experienced Social Security attorney.

## TEMPORARY TOTAL DISABILITY

Date of Injury	Minimum Payments	Maximum Payments
2013	\$160.00 per week	\$1,066.72 per week
2014	\$161.19 per week	\$1,074.64 per week
2015	\$165.49 per week	\$1,103.29 per week
2016	\$169.26 per week	\$1,128.43 per week





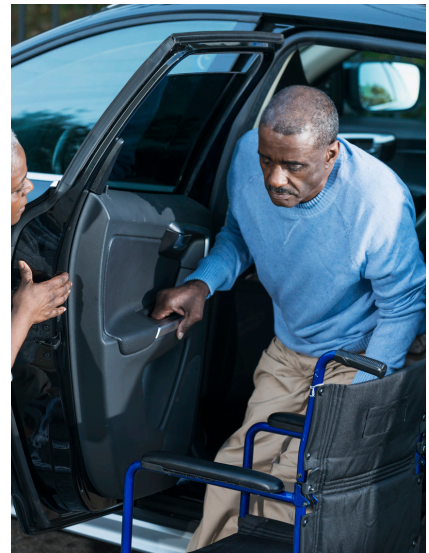
# FAMILY & MEDICAL LEAVE ACT

## BASIC LEAVE ENTITLEMENT

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

For incapacity due to pregnancy, prenatal medical care or childbirth;

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.



## MILITARY FAMILY LEAVE ENTITLEMENTS

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period.

A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.



## **BENEFITS AND PROTECTIONS**

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

## **ELIGIBILITY REQUIREMENTS**

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

## **DEFINITION OF SERIOUS HEALTH CONDITION**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a healthcare provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.



## **USE OF LEAVE**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

## **SUBSTITUTION OF PAID LEAVE FOR UNPAID LEAVE**

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

## **EMPLOYEE RESPONSIBILITIES**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave qualifies for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave.

Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.



## **EMPLOYER RESPONSIBILITIES**

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility. Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement.

## **UNLAWFUL ACTS BY EMPLOYERS**

FMLA makes it unlawful for any employer to:  
Interfere with, restrain, or deny the exercise of any right provided under FMLA; Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.



## **ENFORCEMENT**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.





# YOUR RIGHT TO FILE A LAWSUIT

---

While you have a right to file a workers' compensation claim for benefits, in most instances, you cannot sue your employer even if they did something wrong that contributed your injury because they are protected by the workers' compensation laws. However, you may be able to sue someone (a third party) other than your employer.

In fact, there are many instances where both a workers' compensation claim, and the filing of a personal injury case is appropriate. This is important because personal injury cases allow the injured worker to obtain money for damages not otherwise payable under the workers' compensation laws. For example, workers' compensation will only pay for an injured worker's pre-approved medical expenses, disability, and approximately two-thirds of the worker's average wages.

It does not compensate an injured worker for pain and suffering, 100% of lost wages, and employer contributions to retirement plans. Rather, these damages can only be recovered in a third party personal injury lawsuit.

Accordingly, if someone other than your employer is responsible, or even partially responsible, for causing your injury or disease, you may be able to sue that person or company and recover money in addition to your workers' compensation payments.

The liable party can vary depending on the circumstances of the accident. It may be driver of the car that struck you, the manufacturer of unsafe equipment, the distributor of unsafe chemicals, the contractor/vendor working on your employer's premises who created the dangerous condition, or the contractor at the job-site whose conduct resulted in an injury.

The key to finding a liable party, and recovering money in addition to workers' compensation benefits, is to understand that in the United States all workers are entitled to perform their job in a safe environment that is free from dangerous conditions and equipment. Moreover, your employer will be happy that you are able to collect personal injury money from the third party who caused your accident. Why? Because your employer (or insurance company) will get back some of the money it spent for your treatment, lost time and permanent disability, thereby reducing their workers' compensation insurance premiums.



## **DANGEROUS EQUIPMENT, MACHINERY AND TOOLS**

Workers are exposed to dangerous equipment, machinery and tools virtually every day, but they must use this equipment because their jobs require it. Dangerous equipment comes in all shapes and sizes: the 40 ton hydraulic press at the metal fabricating shop; the industrial forklift in the warehouse; the handheld grinding wheel at the construction site.

No matter what type of machinery, equipment and tools a worker is using, it should be designed in a safe manner. If you are injured while using a product that malfunctioned, is unsafely designed, or is unsafe because it lacked proper warnings, you may be able to recover money damages for your injuries.

Every year thousands of workers are injured in accidents caused by machines and equipment that are unsafe. Many of these injured workers have successfully brought lawsuits against the designers, manufacturers and distributors of the unsafe equipment, collecting large sums of money for their injuries and damages.

Such lawsuits not only allow the injured workers to recover full and fair compensation for their injuries, at the same time these lawsuits force the designers, manufacturers and distributors to implement changes, thereby preventing future injuries.

## **YOU MAY HAVE A CASE EVEN IF YOU THINK YOU DON'T**

Many injured workers never consult a lawyer about their accident because workers' compensation payments began automatically after filing a claim, and they think they cannot sue. Injured workers oftentimes blame themselves for the accident, or blame a coworker who they think they cannot sue.

In addition, even if a co-worker contributed to the accident you may still have a case. Your negligence, your co-worker's negligence, or your employer's negligence does not prevent you from filing a third party lawsuit. The focus is on the equipment, machine or tool, and whether it could have been designed or maintained to eliminate or reduce the condition that caused your injury.



# COMMON MYTHS ABOUT THIRD PARTY LAWSUITS

#1

*There was a sticker on the machine warning me not to put my hand in that moving part so I don't have a third party suit.*

FACT

*Warnings are a last resort, and if the machine should have been designed to eliminate the hazard, or guard against it, then you may have a product liability suit against the machine manufacturer.*



#2

*My co-worker removed the guard from the machine that injured me, so I don't have a third party case.*

FACT

*Guards should be interlocked so that if it is removed from the machine for cleaning or maintenance, the machine can not work until the guard is put back in place. Machine designers have known this since the 1800s, and understand that some employers remove guards or barriers to speed up the work.*

**MYTH #3**

The machine I was injured on was fifty years old, and I am sure they didn't have safety devices back then.

**FACT**

Although safety devices are more common today, the concepts of machine safety and guarding of moving parts on machines have been around for over 150 years.

**MYTH #4**

The machine I was injured on was brand new. It was very sophisticated, and must have contained the state of the art safety devices.

**FACT**

Just because something is new and sophisticated does not make the machine safe. Sometimes the equipment is so sophisticated that the designers spend all of their time trying to figure out how to make it work efficiently, and ignore safety standards.

**MYTH #5**

If I file a lawsuit against the sub-contractor whose employee injured me, my employer will fire me.

**FACT**

A civil lawsuit has nothing to do with your relationship with your employer. Sometimes a supervisor or co-worker will threaten that your job may be in jeopardy if you pursue a civil lawsuit case against a company your employer regularly does business. However, this type of retaliatory conduct is strictly prohibited, and should not be a consideration when evaluating whether to file a lawsuit.

**MYTH #6**

If I file a lawsuit, my workers' compensation benefits will stop.

**FACT**

You may receive workers' compensation benefits, and pursue a third party lawsuit at the same time. A lawsuit will not stop, delay or interfere with your workers' compensation benefits.





# ASBESTOS RELATED INJURIES

Beginning in the 1930s, the use of asbestos in industry and construction increased dramatically. Asbestos was incorporated into tens of thousands of products including construction materials, brakes, ovens, electrical panels, heat and electric generating equipment, piping, gaskets and even ironing board covers and cigarette filters. Before OSHA was enacted in 1972 it was almost impossible to work in heavy industry or construction and not be at risk of asbestos exposure.

Asbestos exposure can cause a scarring of the lung, a diseases known as asbestosis, pleural disease, lung cancer, Gastrointestinal cancers and mesothelioma. These diseases may take up to 40 years to develop from the time of first exposure. Mesothelioma is particularly worrisome as it takes very little asbestos exposure to cause this disease.

Mesothelioma may develop not only in workers but in family members who lived in households contaminated with asbestos brought home on clothing or from asbestos products used in the home.

If you or someone you love is diagnosed with an asbestos related injury you may be entitled to significant compensation from the manufacturers and suppliers of asbestos.

# MEDICAL MALPRACTICE

Most physicians are caring and careful practitioners who do a great deal of good for their patients. However, there are times when doctors practice below accepted standards and cause severe injury or even death. When a physician's negligence causes injury to a patient, the patient is entitled to compensation for the related physical and economic harms.

If you are the victim of medical malpractice, you are entitled to bring a civil suit to recover these damages. Common cases of malpractice include improperly reading an x-ray or mammogram leading to a delay of diagnosis of cancer, surgical errors which cause injuries to internal organs and/or death, birth injuries where a physician negligently delivers a child causing severe brain injury or other problems.



# EMPLOYMENT LAW

There are several laws in New Jersey that protect employees from discrimination and other wrongful acts of employers. These laws create rights separate and apart from any rights you have from a collective bargaining agreement. The New Jersey Law Against Discrimination ("LAD") protects employees from discriminatory treatment at work in terms of terminations, demotions and other negative treatment.

In addition, the LAD prohibits "hostile work environments" which means your employer must take action to prevent and rectify any environments where employees are subjected to discriminatory comments and/or harassment on account of their race, gender, sexual orientation, religion, physical condition, etc. The LAD provides for money damages in terms of wage loss and emotional harm if an employer discriminates.

There are other laws which act to protect employees as well such as the Conscientious Employee Protection Act ("CEPA") and the Family and Medical Leave Act ("FMLA"). CEPA prohibits an employer from retaliating against an employee because the employee makes a complaint or opposes unlawful or wrongful acts by the employer.

The FMLA provides that employees are to get 12 weeks off of work for a serious medical condition affecting the employees or a close family member, or birth of a child. These laws provide damages to employees when the employers violate these laws.

These are just some of the laws that protect employees in New Jersey outside the collective bargaining framework. We encourage you to investigate your rights if you believe you have been wrongfully treated at work.



# LAWSUIT STATUTE OF LIMITATIONS

The law imposes a time limit within which you must file a lawsuit or forever forfeit your legal rights. In New Jersey, the time limit is two years from the date of the incident or accident giving rise to the claim.

For injuries that are not immediately apparent, the statute of limitations is two years from the discovery of your injury and when you knew or should have known of the possible relationship to the fault of another. If a public or governmental entity is involved, the law requires notice to that entity within 90 days of any accident or injury.

How the statute of limitations applies to your individual case is beyond the scope of this booklet and requires a meeting with your lawyer to analyze your specific facts and circumstances. Thus, it is imperative that if you were hurt at work or elsewhere that you contact a lawyer as soon as possible to make sure you do not lose your right to fair compensation.



# COMMON MYTHS ABOUT THIRD PARTY LAWSUITS

If you find yourself in a work-related accident, there are some important steps you should take to protect yourself, your employer, and others who may also be involved. Ultimately, consulting with experienced counsel as soon as possible is the best way to make sure any claim or rights you have are protected. Here are some simple things to keep in mind:

**STAY CALM:** Staying calm will allow you to keep your wits about you to get help you need and to make sure you don't make matters worse.

**CALL 911:** Whether a serious or minor accident, call 911 if necessary to get medical attention or assistance you may need.

**GET INFORMATION:** If you are injured by a machine or vehicle or product, try to get and record the name, make, model, and serial number or other identifying information of the thing that was involved in your accident or injuries to help determine later whether there is a third party other than your employer or a co-worker responsible for your accident. If someone else hurt you by their carelessness, make sure to get the name and phone number of the other person if you are able. If there are any witnesses, try to get their names and numbers as well.

**TAKE PHOTOGRAPHS:** If you are able, use your cell phone or a camera to document any injuries, as well as the scene of the accident and whatever was involved in causing or contributing to your injuries.

**ACCEPT MEDICAL ASSISTANCE:** If you are hurt and the paramedics, police or firefighters ask if you need or want medical assistance, accept it. Let them take you to the hospital to get checked out to make sure you are ok or to get treated immediately if you are injured. Often, the extent of injury from an accident is not immediately known to you.

Your adrenaline is pumping and your pain threshold is elevated. If one of the emergency responders thinks you need medical attention, listen and accept it. Better to be safe than sorry in this regard.





**NOTIFY YOUR EMPLOYER:** If you are in an accident while in the course and scope of your work or while in a work vehicle, call your employer immediately to notify them of the accident and to inquire about any medical facility or doctor you are to see, workers' compensation benefits should you be required to miss work for any extended period of time, and what else your employer needs to know.

**CALL AN ATTORNEY:** Call us if you are in an accident so we can give you additional important advice and to make sure your rights are properly protected whether you caused the accident or someone else did. The sooner you seek the advice of counsel, the easier the days, weeks, months, and perhaps years ahead will be regarding the aggravation that is sure to follow any car accident.



# About Us

201 Columbia Ave.  
Fort Lee, NJ 07024  
(201) 817-4345

Christopher T. DiGirolamo

Managing Partner

[CDiGirolamo@MDLTrialLawyers.com](mailto:CDiGirolamo@MDLTrialLawyers.com)

[www.maggianolaw.com](http://www.maggianolaw.com)



Workers Compensation, A Legal Guide



Our law firm began in Fort Lee, New Jersey, in 1974. Michael Maggiano's unique approach and dedication to detail provided success at trial for his clients. He built a strong reputation for protecting the rights of the injured. In 1992, Christopher DiGirolamo joined the firm and immediately built his own reputation as a strong advocate for injured victims. He became Managing Partner of the Fort Lee office and grew the workers compensation department in 1999. Our reputation for success and our desire to help people is our strength. We expanded the firm and added another experienced trial lawyer Michael Lizzi to complete our team. Mr. Lizzi heads the New York office. .

Our main office is located in Fort Lee, New Jersey, however we have a national presence and have extensive national contacts with other exceptional attorneys around the country. We have worked together with leading trial firms throughout the country in handling catastrophic injury cases of all types.

Maggiano, DiGirolamo & Lizzi, P.C., is an experienced and seasoned team of trial lawyers in the New Jersey metropolitan area specializing in personal injury and work related injury cases. We know New Jersey and New York law, and will work hard to get you every benefit you are entitled to receive.

Maggiano, DiGirolamo & Lizzi, P.C. has rightfully earned a stellar reputation by achieving justice for our clients. Our dedication to protecting the rights of the injured is an unfaltering commitment to the community we serve, and that is proven again and again in the successes we achieve for our clients.

Our knowledge of the law in New Jersey and New York can get you the compensation you deserve. We are experts in our field and routinely are asked to lecture to other attorneys around the country about trial and workers compensation.

Many people do not understand that In workers compensation matters, there is no penalty if the work related injury was partially or entirely your fault. You can collect the same benefit whether you are responsible for your own injury or not. It is common for people who believe they caused their own work injury to believe they are not entitled to compensation. That is not true and the benefits are the same whether you are at fault or not for the work injury.

Our work accident & injury lawyers can help you and your family protect your legal rights and stand up to the negligent party so that you can get the full compensation that you truly need. We offer a free initial consultation call us at (201) 817-4462 or send us a message, we are ready to come to your aid.

