

WORKERS' COMPENSATION INJURIES ON THE JOB

The case: A fast food worker was horsing around during work hours. He climbed the awning of the restaurant and fell, breaking his arm.

What are the worker's interests?

What are the employer's interests?

Should he receive:

- Full pay for the entire time he is injured?
- A portion of his pay for the entire time he is injured?
- No pay at all?
- Worker's compensation?

What changed facts might lead to a different result?

- What if he had been up on the awning at the request of his boss to put up a "Go 'NOVA" banner that advertised an NCAA March Madness Special Meal?
- What if his boss asked him to carry a big heavy box, and he slipped on the newly waxed floor? Would it make a difference if an outside maintenance company had waxed the floor?
- What if he slipped on some greasy French fries that a co-worker just dropped? Would it make a difference if he wasn't watching where he was going because he was flirting with his girlfriend who had just come in?
- What if he injured in a job-related accident, but was being paid cash under the table? What if he was an immigrant who is an "undocumented worker"?