

## Personal Data Questionnaire

1. My full name is ALFONSO FRIONI, JR., or AL FRIONI
2. Office address is:     Workers' Compensation Appeal Board  
                              Manor Oak I, Suite 310  
                              1910 Cochran Road  
                              Pittsburgh, PA 15220  
                              412-531-2680
3. Place of birth is Scranton, Pennsylvania on February 25, 1963.
4. Not a naturalized citizen.
5. Martial Status: happily married to Janice A. (Jurcago) Frioni for 16 years.  
  
      b) Never been divorced
6. I have never served in the military.
7. LAW SCHOOL:  
  
      UNIVERSITY OF PITTSBURGH SCHOOL OF LAW, JURIS DOCTOR, 1988  
          LEGISLATION / ADMINISTRATIVE LAW  
          NATIONAL ADMINISTRATIVE LAW MOOT COURT COMPETITION
8. Admitted to the Bar in the Commonwealth of Pennsylvania, November 10, 1988  
  
      Pennsylvania Supreme Court  
      U.S. District Court for the Western District of Pa., November 21, 1988  
      Third Circuit Court of Appeals, December 7, 1992  
      Sixth Circuit Courts of Appeals, May 4, 1993

9 (a-d) Chronology of Law Practice:

**COMMISSIONER, PENNSYLVANIA WORKERS' COMPENSATION APPEALS BOARD • 1996-PRESENT**

One of fifteen Administrative Appeals Judges/Commissioners appointed by Governor of Pennsylvania and confirmed by State Senate to convene hearings, adjudicate and preside over workers' compensation cases on appeal from decisions of all statewide Workers' Compensation Judges. Over 250 Decisions, mediations, supersedeas determinations and bench orders issued annually. Research and interpret State Statutes, Administrative Code and case law of The Pennsylvania Commonwealth Court & The Pennsylvania Supreme Court. Over 90 percent Affirmance rate.

Manor Oak I, Suite 310, 1910 Cochran Road, Pittsburgh, PA 15220, 412-531-2680

**IN-HOUSE COUNSEL, THE TRAVELERS INSURANCE COMPANY • 1994-1996**

Litigated and defended Pa. Workers' Compensation, Federal Black Lung and Longshoremen's benefit claims. Courts of Jurisdiction: Office of Administrative Law Judges, U.S. Department of Labor; U.S. Third & Sixth Circuit Courts of Appeals; Pa. Workers' Compensation Judges & Appeal Board; Commonwealth Court of Pennsylvania.

Chatham Centre, Pittsburgh, PA 15219; 412-338-4088 (Michael Relich, Esq).

**ATTORNEY, THOMPSON, CALKINS & SUTTER, P.C. • 1991-1994**

Litigated and defended Pa. Workers' Compensation, Federal Black Lung and Longshoremen's benefit claims. Courts of Jurisdiction: Office of Administrative Law Judges, U.S. Department of Labor; U.S. Third & Sixth Circuit Courts of Appeals; Pa. Workers' Compensation Judges & Appeal Board; Commonwealth Court of Pennsylvania.

501 Frick Building, Pittsburgh, PA 15219: (George H. Thompson, Esq.)

**ATTORNEY-ADVISOR, U.S. DEPT. OF LABOR, OFFICE OF ADMINISTRATIVE LAW JUDGES • 1989-1991**

Judicial Clerk for the Honorable Gerald M. Tierney (now retired), the Honorable Thomas M. Burke, Associate Chief Judge, and the Honorable Richard K. Malamphy. Jurisdiction included over 29 statutory areas. Primary Jurisdiction: Federal Coal Mine Health & Safety Act of 1969, as Amended. Researched and drafted court opinions, issued procedural orders and assisted in the management of the Court docket.

7 Parkway Center, Suite 290, Pittsburgh, PA 15220; 412-644-5754 (Associate Chief Judge Thomas M. Burke).

10a-b: General Character of Law Practice:

Practice since graduation from law school, except for work with U.S. Senator H. John Heinz, III, has been solely in Administrative Law, focusing in substantial part on federal black lung litigation, federal and state occupational disease, and occupational trauma injuries, including longshoremen's cases on navigable waters.

11. I currently serve as COMMISSIONER, PA WORKERS' COMPENSATION APPEAL BOARD.

I was originally appointed to this position in 1996 by the Honorable Thomas Ridge, Governor of Pennsylvania and confirmed by the Pennsylvania State Senate. I was reappointed on March 30, 2004 by the Honorable Ed Rendell, Governor of Pennsylvania and confirmed by the Pennsylvania State Senate.

I have statewide jurisdiction in all 67 Pennsylvania Counties for cases which are on appeal from any of the 99 state workers' compensation judges.

12. For the past five years (all of which) I have held judicial office, the nature of the typical matters which come before me are all within the domain of workers' compensation and include (but not an exhaustive listing):

- Nature and extent of injury
- Course & Scope of employment
- Average Weekly Wage calculations
- Statutory employers
- Discovery
- Termination of employment for cause
- Termination of benefits based on full recovery
- Modification of benefits
- Suspension of benefits
- Review Petitions for Wage
- Review Petitions for expansion of injury
- Review Medical Petitions
- Utilization Review Petitions
- Forfeiture petitions
- Special supersedeas
- Supersedeas Orders
- Appointment of fiduciary guardianship
- Approval of commutations
- Hearing Loss
- Specific loss
- Disfigurement awards
- Review of Compromise & Release
- Approval of Annuities
- Supersedeas reimbursement
- Uninsured Guaranty Fund, Judgments, Bankruptcy, Insolvency
- Offsets, Credits and Subrogation
- Physical Examinations
- Impairment Ratings
- Expert Interviews
- Labor Market Surveys
- Reinstatement following Suspension, Termination
- After discovered evidence
- Appeal nun pro tunc
  
- Numerous others.....

c) Percentage of time devoted to Appellate argument: 100%.

d) Five significant cases rendered and citations thereof:

I would not necessarily characterize all of the cited and attached cases as being the most significant, but rather representative of the usual work of the Board. In the 12.5 years I have served on the Board, I have probably issued approximately over 1000 decisions and many more additional procedural and supersedeas orders. In addition to enclosing these representative cases, I have included the Commonwealth Court's and, in once case, the Supreme Court's, review of my decision.

1. ***Randy Snizaski, Renee Snizaski, widow v. Rox Coal Company*** (A01-1460), 2002 WL 32063908 (Pa.Work.Comp.App.Bd.), aff'd, ***Rox Coal Company v. Workers' Compensation Appeal Board (Snizaski)***, 768 A.2d 384 (Pa. Cmwlth. 2001), cert granted, aff'd., 807 A.2d 906 (Pa. 2002).
2. ***Samuel Turman v. BARTA*** (A05-2059), 2006 WL 3891602 (Pa.Work.Comp.App.Bd.), aff'd ***Berks Area Reading Transportation Authority v. Workers' Compensation Appeal Board (Turman)***, No. 197 C.D. 2007 (Pa. Cmwlth. 2007) (Opinion Not Reported).
3. ***Anthony Lawton v. City of Philadelphia*** (A05-1431), 2007 WL 706907, aff'd ***Anthony Lawton v. Workers' Compensation Appeal Board (City of Philadelphia)***, No. 529 C.D. 2007 (Pa. Cmwlth. 2007) (Opinion Not Reported).
4. ***Milton Oatis v. Carlisle Engineered Products*** (A03-0821 & A03-0822), 2005 WL 1318756 (Pa.Work.Comp.App.Bd.), aff'd ***Oatis v. Workers' Compensation Appeal Board (Carlisle Engineered Products) and Carlisle Engineered Products v. Workers' Compensation Appeal Board (Oatis)***, No. 1221 C.D. 2005 and No. 1269 C.D. 2005 (Pa. Cmwlth. 2006) (Opinion Not Reported).
5. ***Leo Prosick v. Hershey Chocolate USA*** (A06-1271) 2007 WL 1760740 (Pa.Work.Comp.App.Bd.), aff'd ***Leo Prosick v. Workers' Compensation Appeal Board (Hershey Chocolate USA)***, 936 A.2d 177 (Pa. Cmwlth. 2007).
6. Bryan Garner v. SEPTA (A06-0743), 2007 WL 2317712 (Pa.Work.Comp.App.Bd.), aff'd ***Bryan Garner v. Workers' Compensation Appeal Board (SEPTA)***, No. 1559 C.D. 2007 (Pa. Cmwlth. 2008) (Opinion Not Reorted).
7. ***Larry Reagle v. Werner Company*** (A06-2121), 2007 WL 3343033, aff'd ***Larry F. Reagle v. Worker's Compensation Appeal Board (Werner Co.)***, No. 2163 C.D. 2007 (Pa. Cmwlth. 2007) (Opinion Not Reported).
8. ***Brian Holben, Claimant, C/O Amy Holben v. Brockway Pressed Metals***, (A06-2122) 2007 WL 4608373, rev'd ***Brockway Pressed Metals and ACE USA v. Workers' Compensation Appeal Board (Holben)***, 948 A.2d 232 (Pa. Cmwlth. 2008).

13. A substantial part, if not almost all, of my practice the five years prior to me being named a Commissioner of the Worker's Compensation Appeal Board was conducted before administrative boards, agencies and commissions.

They included the Office of Administrative Law Judges, U.S. Department of Labor, the Benefits Review Board, U.S. Department of Labor, Pennsylvania Workers' Compensation Judges, Pennsylvania Department of Labor & Industry Office of Adjudication, Pennsylvania Workers' Compensation Appeal Board, The Third Circuit Court of Appeals and the Sixth Circuit Court of Appeals.

14. Appellate Courts practice before appointment to the WCAB included the Third Circuit Court of Appeals and the Sixth Circuit Court of Appeals.

15. I have held public office in the form of community advisory boards such as Member and then Chairman of the Mt. Lebanon Traffic Board (1994-2002) and also Member and now Chairman of the Mt. Lebanon Parking Authority (2002-present). These are appointed positions.

16. I have never been a candidate for public office. I have sought the Governor's appointment to the Workers' Compensation Appeal Board and to the Commonwealth Court of Pennsylvania.

17. I have engaged in an occupation and business other than the law for a limited period.

Following my graduation from law school in 1988, I worked for U.S. Senator H. John Heinz, III. Also, from 2004 to 2007, I owned rental properties under the entity AuditLaw, LLC of which I remain the Principal. AuditLaw currently owns no rental properties.

18. I am the principal officer of AuditLaw, LLC which is a property and rental ownership company. I am the sole member. The corporation currently does not own any properties.

19. I have never been arrested, charged or convicted of violating any federal law or regulation, state law or regulation, or county or municipal law, regulation or ordinance.

20. I am not under any ongoing federal, state or local investigation or indictment for possible violation or a criminal statute.

21. I have no tax lien or other collection activities against me in any jurisdiction.

22. If requested, I would submit certified copies of my latest tax returns.
23. I have never been sued by a client.
24. I have never been a party or otherwise involved in any legal proceeding to my recollection.
25. I have never been disciplined or cited for breach of ethics or unprofessional conduct or had any complaints filed against me with the Court of Judicial Discipline.
26. My health is excellent.
27. There are no circumstances that would affect my ability to perform the position of Judge of the Commonwealth Court.
28. During the last dozen years, I have both formally and informally served as instructor, presenter, or panelist on numerous programs (mostly C.L.E. approved). I have not authored any narrative articles, but I have at times prepared outlines necessary for my presentations. On such outline is attached. Otherwise, I will rely upon my decisions submitted above to serve as a representative sample of my writings. These decision are my work product to a significant degree.
29. I am a member of the Allegheny County Bar and the PA Bar Association. As a Commissioner on the W.C. Appeal Board I have from time to time served on Advisory panels and panels for C.L.E.
30. Experiences in teaching and lecturing for continuing legal education, both for the legal community and the judiciary and to non-legal audiences include:

### FACULTY / INSTRUCTOR

*Erie Bar Association, Panelist, Practice Before the PA Workers' Compensation Appeal Board, April 2008*

Lorman Educational Services, Instructor, *Workers' Compensation Update Seminar*, October 2006, Pgh. Pa.

Bureau of Workers' Compensation 5<sup>th</sup> Annual Seminar, Panelist, *Behind the Scenes of the W.C.A.B.*, June 2006.

Allegheny County Bar Association, Workers' Compensation Section, Instructor, *The W.C.A.B. And You*, Dec. 2006.

Philadelphia Bar Association, Workers' Comp. Section, Panelist, Lunch & Learn, *Practice Before the W.C.A.B.*, 2004.

Montgomery County Bar Association, Instructor, *Workers' Compensation Appeal Board Update*, 2001.

Philadelphia Bar Association, Workers' Comp. Section, Instructor, *Appellate Mediation At the Board Level*, 2001.

Meyer, Unkovic & Scott, Instructor, *Workers' Compensation Update*, 2001, Pgh, PA.

31. The following is a listing of all organizations other than bar associations, professional associations or societies of which I am or have been a member:

### COMMUNITY INVOLVEMENT

LEGISLATIVE CHAIRPERSON, WASHINGTON SCHOOL PTA, 2002-PRESENT  
SCOUTMASTER, TROOP 22, BOY SCOUTS OF AMERICA, 2005-PRESENT  
CUBMASTER, PACK 22, BOY SCOUTS OF AMERICA, 2001-2004  
YOUTH BASEBALL COACH, MT. LEBANON BASEBALL ASSOCIATION, 1999-Present  
YOUTH SOCCER COACH, SOUTH HILLS YMCA  
CHAIRMAN, MT. LEBANON CITIZENS TRAFFIC BOARD, 2000-2002  
MEMBER, MT. LEBANON CITIZENS TRAFFIC BOARD, 1994-2002  
CHAIRMAN, MT. LEBANON PARKING AUTHORITY 2008-PRESENT  
MEMBER, MT. LEBANON PARKING AUTHORITY, 2002-PRESENT  
MEMBER, SENATE SELECTION COMMITTEE, MT. LEBANON/DORMONT DISTRICT JUSTICE  
HIGH SCHOOL FACILITIES DEVELOPMENT COMMITTEE, MT. LEBANON SCHOOL DISTRICT, 2007-Present  
SUPERINTENDENT CITIZENS SEARCH COMMITTEE, MT. LEBANON SCHOOL DISTRICT, 2007  
AD HOC BUDGET COMMITTEE, MT. LEBANON SCHOOL DISTRICT, 2003  
AD HOC DEVELOPMENT COMMITTEE TO ESTABLISH MT. LEBANON FOUNDATION  
Mt. Lebanon Municipality Teen Center Volunteer.  
Member, Selection Advisory Committee, Mt. Lebanon Police Chief, 2008  
Member, Mt. Lebanon Economic Development Advisory Select Uptown Committee, 2008  
Volunteer, Mt. Lebanon School District Writing Workshop 2006-2007  
MEMBER, ST. BERNARD'S CHURCH, MT. LEBANON, PA

32. List any honors, prizes, awards, or other forms of recognition:

### ACTIVITIES & HONORS

EAGLE SCOUT, BOY SCOUTS OF AMERICA • 1979  
John C. Emery Academic Scholarship for High Education

33 and 34: Other relevant information and why do I wish to be a judge:

I would like to think my greatest achievement is that of being a great dad and husband. (I suppose there could be some debate about that between my wife and children!). Beyond that, you will probably quickly note that I have not been able to devote to date as much time to the professional bar functions as I would have desired. I have spent a majority of my time raising my family, and attempting to serve my community in Scouting, youth sports, academic functions and municipal and school district organizations. This is where my obligations have existed and where my passions lie.

I will continue to volunteer for non-profit organizations, but only to the point it does not affect my ability to serve on the bench. My children are now maturing and my opportunities to become more involved in the bar, to educational programs and to those legal outreach programs that provide for the betterment of our community will be improved.

From a professional standpoint, I have a genuine desire to serve and contribute to this Court, the Commonwealth Court. At most times, at least a third to as much as 40 percent of the workload of the Commonwealth Court is comprised of workers' compensation and unemployment compensation cases. This is obviously where I feel I can contribute the most as a member of the Court.

In the over 12 years I have served as an administrative appeals judge, I have strived to be an effective Commissioner. Working hard to develop a reputation as being knowledgeable, fair and prepared; able to quickly identify the relevant issues; able to author a (hopefully) intelligent decision in which the parties can recognize that I analyzed their arguments and considered them, and that the losing party always understands why it lost. Maybe most importantly, I have prided myself in hopefully fostering a level of decorum that breeds respect and confidence in the judicial system.

35. I signed the PBA Judicial Campaign Guidelines.

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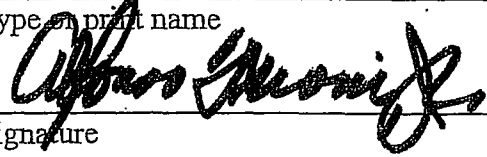
CERTIFICATION STATEMENT

The undersigned certifies that all of the statements made in this questionnaire are true, complete and correct to the best of his/her knowledge and belief and are made in good faith.

ALFONSO FRIONI, JR.

Type in print name

Signature



11/27/08

Date

# ALFONSO FRIONI, JR.

210 Main Entrance Drive  
Mt. Lebanon, Pennsylvania 15228  
Phone: Office: (412) 531-2680  
Phone: Cell: (412) 292-6083  
e-mail: jfauditlaw@msn.com

## EDUCATION

UNIVERSITY OF PITTSBURGH SCHOOL OF LAW, JURIS DOCTOR, 1988  
LEGISLATION / ADMINISTRATIVE LAW  
NATIONAL ADMINISTRATIVE LAW MOOT COURT COMPETITION

UNIVERSITY OF PITTSBURGH, COLLEGE OF ARTS & SCIENCES, CUM LAUDE  
B.A. URBAN STUDIES/POLITICAL SCIENCE, 1985

## PROFESSIONAL EXPERIENCE

### **COMMISSIONER, PENNSYLVANIA WORKERS' COMPENSATION APPEALS BOARD • 1996-PRESENT**

One of fifteen Administrative Appeals Judges/Commissioners appointed by Governor of Pennsylvania and confirmed by State Senate to convene hearings, adjudicate and preside over workers' compensation cases on appeal from decisions of all statewide Workers' Compensation Judges. Over 250 Decisions, mediations, supersedeas determinations and bench orders issued annually. Research and interpret State Statutes, Administrative Code and case law of The Pennsylvania Commonwealth Court & The Pennsylvania Supreme Court. Over 90 percent Affirmance rate.

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### **ATTORNEY, THOMPSON, CALKINS & SUTTER, P.C. • 1991-1994**

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Judicial Clerk for the Honorable Gerald M. Tierney, the Honorable Thomas M. Burke, and the Honorable Richard K. Malamphy. Jurisdiction included over 29 statutory areas. Primary Jurisdiction: Federal Coal Mine Health & Safety Act of 1969, as Amended. Researched and drafted court opinions, issued procedural orders and assisted in the management of the Court docket.

### **LAW CLERK, HORTY, SPRINGER & MATTERN, P.C. • 1986-1988**

Drafted hospital policies, provided opinion letters and legal memoranda in response to client inquiries regarding credentialing, by-laws, peer review, corporate structure, tax-exemption, antitrust, regulatory compliance, medical records, AIDS, consent, zoning and trademark and servicemark protection. Researched and contributed to articles published in the firm's four national ACTION KIT for Hospital Law publications. Firm served as counsel to over 400 hospitals nationwide.

### **PEOPLE FOR SENATOR JOHN HEINZ, ASST. WESTERN PA FIELD COORDINATOR • 1988**

### **LEGAL ASSISTANT / INTERN, PITTSBURGH CITY COUNCIL • 1988**

### **LEGAL ASSISTANT / INTERN, U.S. SMALL BUSINESS ADMINISTRATION • 1987**

### **STAFF ASSISTANT / INTERN, U.S. SENATOR H. JOHN HEINZ, III. • 1985 - 1986**

### **ASSISTANT TO THE SOLICITOR, DEPT. OF LAW, COUNTY OF LACKAWANNA • 1986**

## PROFESSIONAL ASSOCIATIONS:

Allegheny County Bar Association Pennsylvania Bar Association  
Pennsylvania Supreme Court U.S. District Court for the Western District of Pa.  
Third & Sixth Circuit Courts of Appeals

## ACTIVITIES & HONORS

EAGLE SCOUT, BOY SCOUTS OF AMERICA • 1979  
JOHN C. EMERY ACADEMIC SCHOLARSHIP

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MEMBER, MT. LEBANON PARKING AUTHORITY, 2002-PRESENT

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HIGH SCHOOL FACILITIES DEVELOPMENT COMMITTEE, MT. LEBANON SCHOOL DISTRICT, 2007-Present

SUPERINTENDENT CITIZENS SEARCH COMMITTEE, MT. LEBANON SCHOOL DISTRICT, 2007

AD HOC BUDGET COMMITTEE, MT. LEBANON SCHOOL DISTRICT, 2003

AD HOC DEVELOPMENT COMMITTEE TO ESTABLISH MT. LEBANON FOUNDATION

MEMBER, ST. BERNARD'S CHURCH, MT. LEBANON, PA.

## FACULTY / INSTRUCTOR

*Erie Bar Association, Panelist, Practice Before the PA Workers' Compensation Appeal Board, April 2008*

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Bureau of Workers' Compensation 5<sup>th</sup> Annual Seminar, Panelist, *Behind the Scenes of the W.C.A.B.*, June 2006.

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Philadelphia Bar Association, Workers' Comp. Section, Instructor, *Appellate Mediation At the Board Level*, 2001.

Meyer, Unkovic & Scott, Instructor, *Workers' Compensation Update*, 2001, Pgh, PA.

## PERSONAL INFORMATION

BIRTH PLACE: SCRANTON, PA, 1963

HIGH SCHOOL: DUNMORE, JR., SR. HIGH SCHOOL, 1981, HIGH HONORS

MARRIED TO JAN FRIONI (16 YEARS)

CHILDREN: ALFONSO III. (AGE 13); ABIGAIL (AGE 10)

REFERENCES AVAILABLE UPON REQUEST