

SDV Workers' Compensation Immunity State by State Survey

Saxe Doernberger & Vita has released a **comprehensive survey** that examines several key issues relating to the scope and extent of workers' compensation requirements and immunity across all 50 states.

This comprehensive survey examines several key issues relating to the scope and extent of workers' compensation requirements and immunity across all 50 states. It discusses, among other topics, exclusive remedy protections and the application of such protections in the Consolidated Insurance Program (a.k.a "wrap up") context.

For each state the survey reviews:

- Type of Workers' Compensation Insurance (private or state funded)
- Workers' Compensation Exclusive Remedy Statute
- Principal/Statutory Employer Doctrine
- Application of Exclusive Remedy Statute to Principal/Statutory Employers
- Application of Exclusive Remedy Statute to Wrap-Ups
- Subrogation Waiver Prohibition by Statute

Why This Survey is Important

A fundamental principle of workers' compensation laws is that an employer who provides compensation to an injured employee (pursuant to the applicable state statute) is entitled to immunity from civil actions by that employee or his/her representatives (i.e., an employee's exclusive remedy is workers' compensation benefits). Under certain circumstances and in some jurisdictions, this immunity is extended to upstream parties such as a project owner or general

contractor. This survey should help construction professionals begin to navigate the complex world of worker's compensation immunity law.

Download a complimentary copy of the survey.

Saxe Doernberger & Vita P.C.

From the firm's release: "Saxe Doernberger & Vita, P.C., is a national insurance coverage law firm focused exclusively on representing corporate policyholders. Our experienced trial lawyers are admitted in courts across the country and represent clients in multiple industries including construction, power and energy, real estate, and more. At its core, SDV's practice is about the prevention and resolution of insurance disputes."