Recent court decision

AutoZone v. Industrial Commission

The Ohio Supreme Court has finalized its decision in relation to AutoZone Stores v. Industrial Commission of Ohio. As you may recall, the question before the Supreme Court in this case was whether the injured worker was entitled to temporary total compensation (TT) after being terminated from his position due to a physical altercation with his supervisor. The claimant was injured on 6/20/20 and was working light duty up until the date of his termination, which took place on 9/5/20. In November 2020, the claimant had surgery for the allowed conditions and requested temporary total compensation beginning the date of his surgery. It was noted that the claimant did not secure other employment in between his date of termination from AutoZone and his surgery in November. Because of this fact pattern, the employer appealed the payment of compensation and argued that the injured worker was not entitled to temporary total compensation as he was not employed at the time of his request for disability. The claimant argued that he was entitled to compensation as the surgery that led to his current request for TT was solely related to the allowed conditions.

The Supreme Court determined that there are two specific questions that need to be answered in this situation:

Is the injured worker's inability to work the direct result of the allowed conditions? – this is a question related to the medical information of the claim file.

Is the injured workers' current unemployment due to reasons completely unrelated to the allowed conditions? - this is a legal question that delves into a claimant's medical inability to work vs. simply not working and if they are simply not working, then why?

The Supreme Court ruled that the claimant must be employed at the time of a request for compensation. In the AutoZone case the injured worker was not working due to termination for cause, and he did not secure employment elsewhere in between the time of his termination and the date of his surgery. Therefore, the Supreme Court found that he was not entitled to temporary total compensation since he was not working/receiving wages at the time of the compensation request.

All appeal and reconsideration options have been exhausted in this matter so this decision is now final and can be used by employers to determine if TT is necessary and appropriate when an injured worker is no longer employed and has not secured employment elsewhere. If you have questions related to this court case, please feel free to reach out to your Sedgwick claims examiner and they can help you determine if the AutoZone case applies to your company's claim scenario. In some instances, we may recommend that you contact your company attorney to help determine the legal application of the AutoZone case.

If you have any questions, contact our Sedgwick program manager, Julia Bowling at julia.bowling@sedgwick.com or phone 513-218-4062.