

WORKERS' COMPENSATION

Claims Defense. Scopelitis attorneys represent motor carriers, whether conventionally insured or self-insured, in paying only the appropriate benefits. Scopelitis is aware that many claims have similarities that allow expedient and cost-efficient treatment. However, we are equally mindful that truck driver claims involve unique factors that give rise to creative defenses or alternative resolutions that eliminate or minimize a claim's cost to the motor carrier and its insurers.

We work with many claims administrators, employer human resources supervisors, and employer risk management personnel. Together, we analyze issues such as surveillance, owner-operator/independent contractor status, proper jurisdiction, light-duty options, acceptance or denial issues, multi-state benefit calculations, complex medical issues, and settlement documentation, always mindful of litigation costs. All of our efforts contemplate the specialized trucking environment.

Scopelitis attorneys regularly serve as faculty, instructing attorneys on the practice of workers' compensation law. In addition, our attorneys present to a wide variety of trucking industry associations, including the American Trucking Associations, the Truckload Carriers Association, the American Movers Conference & Household Goods Carriers Bureau, the National Tank Truck Carriers Association, and many state trucking associations. We have also published articles in the *Transportation Lawyers Journal*, the *Indiana Law Review*, and other state and national trucking industry publications such as *Transport Topics* and the ATA Litigation Center's "Transpoints." We closely monitor bills that bear upon the business environment for motor carriers throughout the country and advise state legislatures in the conception and drafting of Workers' Compensation Laws.

Workers' Compensation Insurance Law. Few firms regularly practice in the very specialized area of workers' compensation insurance law. Even fewer do so within the context of the trucking industry. We have developed a thriving national practice with knowledge of the rules and guidelines published by the National Council on Compensation Insurance as well as the variations of such rules and guidelines used in independent and monopolistic states. Issues regularly addressed include the following:

- Experience modification ratings
- Rating classification codes
- Proper determination of wages and premiums
- Assigned risk pool ramifications
- Proper determination of independent contractor status as it affects premium
- Jurisdictional issues that determine premium calculations
- Other regulatory issues involving the interplay between insurance law, workers' compensation law
- Interstate operations of motor carriers

We also assist insurance carriers and employers in the design and implementation of specialized insurance products, such as occupational accident insurance, that address unique needs within the trucking industry.

