

Jeffrey M. Seyfried

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Jeff Seyfried focuses his practice on workers' compensation defense. He represents self-insureds, third-party administrators, staffing companies and insurance companies.

Jeff litigates workers' compensation matters before workers' compensation judges, the Pennsylvania Workers' Compensation Appeal Board, Commonwealth Court and the Supreme Court of Pennsylvania. Jeff also serves as a general counsel to companies including in the personnel services industry.

From 2012 to 2017 and 2019, Jeff was named to the Pennsylvania Super Lawyers list as one of the top attorneys in Pennsylvania. No more than 5 percent of the lawyers in the state are selected by Super Lawyers. Jeff was named in the Workers' Compensation practice area. Super Lawyers lists are issued by Thomson Reuters. A description of the selection methodology can be found at <https://www.superlawyers.com/about/selection-process/>.

Experience

- ***Results may vary depending on your particular facts and legal circumstances.***
- Successfully obtained a favorable decision, denying a claimant's request for unreasonable contest fees and recalculation of his Average Weekly Wage, ("AWW").
- Successfully obtained a favorable decision, denying a claimant's Claim Petition. Employee filed a Claim Petition against Company 1 and Company 2, contending he suffered traumatic injuries to his neck, mid-back, low back, right shoulder, and collarbone during the course and scope of his employment as a crane transporter. The matter was bifurcated on the issue of employee/employer relationship and jurisdiction. The employee alleged that if he was an employee of Company 1, an uninsured entity, liability should be imposed

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Practices

Workers' Compensation

Education

Widener University School of Law, J.D.,
magna cum laude, 2000

Clarion University, B.S., 1991

Bar Admissions

Pennsylvania

on Company 2 as a statutory employer. Successfully argued that the employee was clearly an independent contractor. The judge concluded there was no master/servant relationship between the employee and Company 1. The WCJ agreed that Company 1's enforcement of federal law did not rise to the level of exerting control. In addition, the WCJ agreed with the argument that the fact that the employee had a specialized license showing he had "skill" which is indicative of an Independent Contractor. The WCJ concluded that Company 1 was not claimant's "employer" and claimant was an Independent Contractor. As a result, no liability could be imposed on Company 2 as a statutory employer.

- Successfully defeats a claimant's objection to Defendant's Suspension Petition. The defendant filed a Suspension Petition, contending the employee had an earning capacity, as work was generally available within her medical and vocational capabilities. The employee argued the defendant was automatically precluded from proceeding with its Petition, as the employee was enrolled in college through the Office of Vocational Rehabilitation, ("OVR"). The matter was bifurcated on this issue. In support of her argument, Claimant cited Burgess v. WCAB (Plaza Foods), 612 A.2d 542 (Pa. Cmwlth. 1992). In response, it was argued that initially that Burgess should not be read so broadly to preclude an OVR recipient from ever having his/her benefits modified. Rather, Burgess simply stood for the proposition that a vocational counselor must consider a claimant's schedule when performing a job search. The WCJ agreed with our attorneys' argument and ruled that Burgess does not automatically preclude a Petition for Modification/Suspension and denied and dismissed Claimant's Motion to Dismiss. The WCJ has not set a trial schedule so that the matter may move forward on the merits of the case.
- Successfully appealed to the Workers Compensation Appeal Board (WCAB) wherein the Board reversed the decision of a WCJ granting a claim petition for carpal tunnel. The Board agreed with the argument that the WCJ erred in granting the petition on the basis that employee's testimony that she suffered a specific injury while lifting a box was entirely inconsistent with her medical expert's testimony that her carpal tunnel was caused by repetitive work. Based upon these inconsistencies, the WCAB reversed the WCJ's decision in its entirety resulting in a recoupment of from the Supersedeas Fund in excess of \$100,000 for the client.

Professional & Community Involvement

Jeffrey M. Seyfried

Partner



- Pennsylvania Bar Association, Workers' Compensation Section
- Pennsylvania Defense Institute
- Dauphin County Bar Association\
- American Staffing Association