

# U.S. Supreme Court rules against Pennsylvania worker

On-the-job illnesses are often thought of as being less severe than on-the-job injuries. However, certain illnesses can be serious enough to be life-threatening. When this happens, it can be necessary for a worker to need very expensive medical care to treat the illness. The employer responsible for subjecting the worker to these conditions may be required to pay for this treatment.

The United States Supreme Court recently issued a ruling on a Pennsylvania case that may have a major impact on workplace illnesses. In *Kurns v. Railroad Friction Products Corp.*, a welder working on train engine breaks who had been exposed to asbestos had sued his employer after developing mesothelioma. The employee died while the case was pending, and his family continued to pursue the suit after his passing.

The Court ruled that the suit was unable to proceed because it was barred by the Locomotive Inspection Act, a federal law. This will prevent the worker from being able to recover damages for his illness. Many groups had supported the worker's case, and this result is seen as a setback for railroad employees suffering from serious work-related illnesses.

Asbestos exposure is common in many industries, including various types of manufacturing and construction. While many rules and regulations have been enacted to limit interaction with asbestos, it is still encountered frequently. Exposure can lead to asbestosis, mesothelioma or other types of cancers.

Treating these diseases can be very expensive, which can lead to workers' compensation or personal injury claims against the

employer or third parties that allowed the exposure. These cases can be quite complex, as it may be difficult to show who is responsible for causing the illness.

Source: Fox Business, "US High Court Blocks Asbestos Injury Lawsuit In Locomotive Case" Feb. 29, 2012.