

# Are You Suffering from an Occupational Disease?

Pennsylvania Supreme Court News Alert:



*If you have an occupational disease you may now be able file a lawsuit against your employer.*

The [Pennsylvania Supreme Court](#) has opened up the possibility for law suits against employers for certain occupational diseases. The Pennsylvania Workers' Compensation Act provides immunity to employers against third party claims being filed by their workers. In simple terms, as long as your employer complies with the requirements of the Pennsylvania Workers' Compensation Act, you cannot sue them for any sort of negligence.

The Workers' Compensation Act also provides coverage for many occupational diseases. Occupational diseases have a 300 week statute of limitation that applies to them. You must file suit within 300 weeks of the last exposure to the occupational hazard. With certain diseases however such as **mesothelioma** caused by exposure to **asbestos** or diseases caused by exposure to **benzene**, the time period before the disease manifests itself is almost always *more than* 300 weeks from the last exposure. Therefore, no benefits were payable under the Workers' Compensation Act for these types of diseases.

**The Pennsylvania Supreme Court has now declared that, in cases**

**involving these occupational diseases where the claims are not compensable under the Workers' Compensation Act because of the 300 week limitation, the injured worker may be able to sue their employer for negligence in Common Pleas Court. If you or someone you know has a potential claim for these types of diseases, call us today and we would be happy to refer you to an attorney who will handle those cases.**

**[Contact us today if you or someone you know has been affected by one of these types of disease...](#)**