

Liquor Store Employee Robbed At Gunpoint Wins Workers' Comp Fight



How did the state Liquor Control Board fight a workers' comp claim that a liquor store manager filed after being robbed at gunpoint at work? By asserting that being robbed was a "normal working condition" for liquor store employees in the Philadelphia area.

Luckily, the Commonwealth Court recently ruled in the store manager's favor, and prevented "being robbed" from a list of acceptable reasons to deny workers' comp benefits to employees.

Ever since being robbed with a gun to the back of his head in 2008, the manager has suffered from post traumatic stress disorder (PTSD) and been unable to work. He was able to obtain disability benefits due to his PTSD, but when he tried to collect workers' comp benefits (because his condition stemmed from an event that occurred during his employment at the liquor store), the Liquor Control Board – the store owner – fought his claim.

The liquor store manager was initially awarded workers' comp benefits when a state workers' compensation judge (WCJ) determined that being robbed with a gun to your head is not "a

normal societal occurrence nor a normal working condition.”

The Liquor Control Board disagreed, and appealed the WCJ’s decision. The Board contended that liquor store robberies are so prevalent that they should be considered “normal working conditions.” To support this assertion, the Board pointed to the fact that almost 100 robberies had occurred in the Philadelphia area in the years preceding the robbery at issue in the case, and that robbery response tactics were a part of the routine training that employees receive.

Last week, the Commonwealth Court [ruled in favor of the store manager](#) and awarded him benefits.

The legal fight surrounding this case spanned 6 years and involved many different agencies and levels of the Pennsylvania court system. Although the Liquor Control Board has 60 days from the date of the current decision to file one more appeal, this case is likely nearing a conclusion and the store manager is likely to receive his long-sought workers’ comp benefits.

Get more details, and learn how our firm was involved, by viewing our press release regarding this case.