

# Football Players Seeking Workers' Compensation for Head Injuries

Professional football players are like any other Pennsylvania employee – they might be entitled to workers' compensation when they are injured on the job. Football is a dangerous sport, and there are reports showing that players who suffered concussions have developed degenerative brain diseases, such as chronic traumatic encephalopathy (CTE), dementia, and Alzheimer's.

## What is a Concussion?

A concussion is a traumatic brain injury caused by a blow to the head. Symptoms include:

- Headache,
- Confusion,
- Loss of consciousness,
- Memory loss,
- Imbalance,
- Vision change,
- Hearing change, and
- Mood change.

Note that you do not have to lose consciousness to suffer a concussion.

## Former Steelers Players Who Sought Workers' Compensation

While the [Pennsylvania Workers' Compensation Act](#) covers professional athletes, like all employees, players claiming they were injured on the job and deserve benefits must prove

their case.

In 2015, a Pennsylvania court [ordered the Pittsburgh Steelers to pay former center Chukky Okobi](#) \$779 a week in workers' compensation, plus \$22,000 in other fees, for injuries he sustained while playing football. He successfully argued that those injuries ended his professional career. But a similar claim by former defensive back and special teams member [Ainsley T. Battles was denied](#).

Battles tore his hamstring in 2004 and claimed the injury compromised his speed and agility and no NFL team would sign him. The Steelers paid for his surgery and physical therapy, as well as the salary and severance owed to him in his contract, which ended in 2005. A Pennsylvania court denied his claim for workers' compensation in 2013, and the Pennsylvania Supreme Court declined to review his case the following year.

### **Settlement Agreement Between NFL and Retired Players**

The U.S. Supreme Court recently decided not to hear a challenge to the terms of a [settlement agreement between the NFL and more than 20,000 retired players](#). The agreement was reached after the former players accused the NFL of hiding what it knew about the link between playing football and CTE. A judge approved the agreement in 2015, but a group of players argued that the terms were unfair and sought to have it invalidated. The settlement stands now that the Supreme Court has declined to hear the case.

### **Workers' Compensation for Head Injuries**

A different group of former NFL players is trying to force the league to recognize [CTE as an occupational job hazard](#) eligible for workers' compensation. The players recently filed a lawsuit in a federal court in Florida to help those who are not covered by the settlement agreement. One of the named players, Tony Gaiter (who played for the New England Patriots and the San Diego Chargers), was diagnosed with CTE after he

began having memory problems. He and the other players involved in the lawsuit claim that CTE is an avoidable injury, and that the NFL should be held accountable.

### **Contact Us Today**

Martin Law is the law firm that stands up for all Philadelphia workers, including professional athletes. Contact us today if you have been [injured on the job](#), whether that is on a construction site, on a football field, or any workplace. We will be with you every step of the way.