



Workers' Compensation

With over a century of combined experience defending workers' compensation claims, we aggressively represent employers, insurance carriers, group funds, and third-party administrators in all phases of the litigation process throughout the State of Michigan. Our clients include Michigan businesses, employers with employees traveling through or injured in Michigan, and Michigan based employers conducting business throughout the world. When collateral issues arise, our clients benefit greatly from the instant access they have to other Foster Swift lawyers, in each of our six offices, who are experts in virtually every other legal discipline.

Our first priority is to provide a thorough and honest appraisal of your case. We work as a team, both internally and with you, to expeditiously and zealously advance your defense. Throughout the process, we will keep you continuously advised of all developments, while aggressively pursuing the most cost effective and favorable outcome possible.

Our reputation is based upon decades of cost effective and aggressive defense throughout the state. We represent employers, third-party administrators and insurance carriers before the Michigan Workers' Compensation Agency and court system on thousands of matters and have a history of great success from the trial stage through the appellate process.

Michigan has recently undergone significant change in the workers' compensation arena. We employ an aggressive internal training program to maintain our high level of expertise. The Foster Swift Workers' Compensation Practice Group is proud to have as part of its team, two adjunct law school professors and a former plaintiff's counsel.

Members of our group are listed in *Best Lawyers in America* and attorneys in our group have earned the highest ratings from Martindale Hubbell. We are always pleased to have the opportunity to provide educational seminars for our clients to keep them abreast of the evolving legislative changes and developing case law, and to suggest strategic options for claims handling.

PRACTICE CONTACT(S)

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ATTORNEYS

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RELATED PRACTICES

General & Commercial Litigation

Insurance Defense

Foster Swift has been named a Tier 1 firm in **Workers' Compensation Law - Employers** in Lansing by *U.S. News – Best Lawyers®* "Best Law Firms" in 2014, 2016, 2017, 2018, 2019, 2020 and 2021.

REPRESENTATIVE CASES

- *Shumaker v. Meritt Tool & Die & Eugene D. Miller*, 2018 Mich App LEXIS 1610 (April 17, 2018) (unpublished).

PUBLICATIONS & ALERTS

MDHHS Revives Face Mask Requirement, Gathering Limits, and Bar Restrictions through Emergency Order, *Foster Swift Coronavirus Resource Page and Eblast*, October 5, 2020

Michigan Supreme Court Upends Governor Whitmer's Authority to Issue Executive Orders, *Foster Swift Eblast & Coronavirus Resource Page*, October 2, 2020

Impact of Executive Orders on Reduction and Termination of Benefits, *Foster Swift Workers' Compensation Update*, April 2, 2020

The Workers' Compensation Issues Raised by Coronavirus Pandemic and Michigan's Newly Promulgated Emergency Rules for "First Response Employees", *Foster Swift Workers' Compensation Update*, March 20, 2020

Is an Employee Injured before December 19, 2011 Obligated to look for Work?, *Foster Swift Workers' Compensation Update*, February 23, 2020

Appeals Court: J-1 Visa Employee at MSU Ineligible for Workers' Compensation, *Foster Swift Workers' Compensation Update*, February 22, 2020

What is a Good-Faith Job Search Effort? Michigan Legislature Considers New Bill, *Foster Swift Workers' Compensation Update*, January 4, 2020

Michigan Considers a Statutory PTSD Presumption Among First Responders, *Foster Swift Workers' Compensation Update*, January 1, 2020

The Difficult Intersection of Workers' Compensation, FMLA and ADA when an Employee gets Sick or Injured, *Foster Swift Employment Labor & Benefits News*, October 1, 2018

Intentional Tort Exception to Michigan Workers' Compensation Act – Court of Appeals Reaffirms High Standard, *Foster Swift Employment Labor & Benefits Law News*, May 31, 2018

Are Interns Injured on the Job Entitled to Michigan Workers' Compensation Benefits?, *Foster Swift Employment Labor & Benefits Law News*, May 29, 2018

Understanding the Ins and Outs of the "Favored-Work" Doctrine Under Michigan Workers' Compensation Law, *Foster Swift Employment Labor & Benefits News*, January 25, 2018

Limiting Opioid use in Workers' Compensation Cases, *Foster Swift Employment, Labor & Benefits News*, November 17, 2016

Workers' Compensation Facilitation - The New Trial?, *Foster Swift Employment, Labor & Benefits News*, November 17, 2016

Are Workers' Compensation Benefits Still an Employee's Exclusive Remedy?, *Foster Swift Workers' Compensation Update*, October 2012

Legislature Overhauls Workers' Compensation Act, *Foster Swift Workers' Compensation Update*, April 2012

NEWS

Preparing Women Business Leaders for 2024 Legal Challenges, *Meltwater Newswire*, February 20, 2024

Foster Swift Elects Three Shareholders for 2024, *Ingham County Legal News*, January 15, 2024

Foster Swift Swears in Four New Associates in Lansing, November 16, 2023

Foster Swift to Welcome Attorneys and Staff from Loomis Law Firm, *EIN Newswire*, November 7, 2023

Goodenough to Receive 2023 Theodore W. Swift Civility Award, *Ingham County Bar Association*, October 6, 2023

Foster Swift Attorneys Named 2024 Best Lawyers in America, *Best Lawyers in America*, August 17, 2023

Foster Swift Continues Growth with Two Associate Hires, *Michigan Lawyers Weekly*, June 20, 2023

Returning in 2023: Legal Strategies for Women Business Leaders, *EIN Newswire*, March 28, 2023

Foster Swift Attorneys Named 2023 Best Lawyers in America®, *Best Lawyers in America*, August 18, 2022

21 Attorneys Selected to 2022 Michigan Super Lawyers and "Rising Stars", *Michigan Super Lawyers*, August 12, 2022

New Rising Stars Listings in Super Lawyers 2022, *Michigan Super Lawyers*, August 12, 2022

Foster Swift Elects Four Shareholders, January 10, 2022

Foster Swift Listed in "Best Law Firms" 2022, *Best Lawyers in America*, November 5, 2021

Foster Swift to Participate in Mansfield Rule Program Focused on Diversity in Leadership, September 14, 2021

Foster Swift Attorneys Named to 2022 Best Lawyers in America®, August 19, 2021

Firm Welcomes New Chief Operating Officer, *Grand Rapids Business Journal*, July 29, 2021

Foster Swift Attorneys Offer Advice for Those Interested in Law School, *Detroit Legal News*, April 29, 2021

Impact of COVID on Michigan's Workers' Comp Law, *Foster Swift Employer Services E-blast*, April 6, 2021

Resource Published to Help Organizations Link to Trending Legal Issues, *Foster Swift Business & Tax Law News*, November 17, 2020

Foster Swift Listed in "Best Law Firms" 2021, *Best Lawyers*, November 5, 2020

Workers' Compensation Issues in the Media, *Business Insurance and Work Comp Central*, October 9, 2020

18 Attorneys Selected to 2020 Michigan Super Lawyers and "Rising Stars", September 18, 2020

Foster Swift Attorneys Named to 2021 Best Lawyers in America®, August 20, 2020

Birach Voted into SBM Section, June 22, 2020

Workers' Comp Defense Blog Provides Michigan Case and Legislative Updates, April 13, 2020

Sanders Named to 2020 "Leaders in the Law", February 24, 2020



Foster Swift Listed in Best Lawyers® "Best Law Firms" 2020, November 1, 2019

23 Attorneys Selected to 2019 Michigan Super Lawyers and "Rising Stars", *Automation Alley*, September 3, 2019

Firm Elects Executive Committee Members for 2019, *Michigan Lawyers Weekly*, March 7, 2019

Hammond to Deliver Webinars on Important Employment Issues, *Ingham County Legal News*, January 22, 2019

Foster Swift Rated Tier 1 in 27 Practice Areas in Best Lawyers® "Best Law Firms", November 1, 2018

31 Foster Swift Attorneys Selected to 2018 Michigan Super Lawyers and "Rising Stars" Lists, September 10, 2018

Michigan Court of Appeals Reiterates That Worker's Compensation Claims Are the Exclusive Remedy for Injured Employees, *Detroit Legal News*, May 1, 2018

Foster Swift Elects Executive Committee Members for 2018, February 13, 2018

30 Foster Swift Attorneys Selected to 2017 Michigan Super Lawyers and Rising Stars Lists, September 8, 2017

Michael Sanders Elected to College of Workers' Compensation Lawyers, March 23, 2016

44 Foster Swift Attorneys Named to 2016 Best Lawyers in America® Roster, August 21, 2015

dbusiness Names Four Foster Swift Attorneys Top Lawyers 2014, December 2013

21 Foster Swift Attorneys named to 2011 Michigan Super Lawyers; 4 named Michigan Rising Stars, September 12, 2011

Attorney Archana Rajendra Joins Foster Swift, May 5, 2011

Foster Swift's 2011 Best Lawyers, August 17, 2010

Foster Swift Elects Dana Bennett as Shareholder, January 27, 2010

EVENTS

Will 2023 Bring Changes to Michigan's Workers' Comp Laws?, *Foster Swift Second Wednesday Lunch Break*, January 11, 2023

Workers' Compensation Premiums and Other Issues, *Fall 2022 Labor & Employment Law Update Webinar*, October 12, 2022

Impact of COVID on Michigan's Workers' Compensation Law, *Foster Swift 2nd Wednesday Morning Break*, April 14, 2021

Workers' Comp Update, *Michigan Defense Trial Counsel (MDTC) Annual Meeting & Conference*, June 18, 2020

Coronavirus Impact on Michigan Workers' Compensation, *RIMS Detroit Chapter*, April 16, 2020

2019 Comprehensive Guide to Employment Law, *National Business Institute (NBI)*, November 13, 2019

FMLA, ADA and Workers' Compensation: Managing Leave of Absence Issues, *National Business Institute (Employment Law: 2019 Comprehensive Guide)*, November 13, 2019

Your Employee is Hurt, but is it FMLA, ADA or Workers Comp?, *Michigan Chamber of Commerce*, March 7, 2019



No, that Employee is NOT an Independent Contractor, *Michigan Chamber of Commerce*, January 31, 2019

Responding to Workplace Violence: Workers' Compensation, *Foster Swift*, October 17, 2018

Hiring, Investigating and Discipline/Discharge in the Law, *Foster Swift: Developing Labor Law Update*, May 9, 2018

Hiring, Investigating and Discipline/Discharge in the Law, *Foster Swift: Developing Labor Law Update*, February 7, 2018

Basics of determining termination of employees that lawfully use medical marijuana, *Stop Before You Crash: Workers' Compensation and Employment Law*, March 22, 2017

Can an employee be fired while away on FMLA?, *Stop Before You Crash: Workers' Compensation and Employment Law*, March 22, 2017

Can social media posts be used as evidence in defense of a workers' compensation claim?, *Stop Before You Crash: Workers' Compensation and Employment Law*, March 22, 2017

Sexual Harassment in Workers' Compensation, *Stop Before You Crash: Workers' Compensation and Employment Law*, March 22, 2017

"Favored-Work" Doctrine Under Michigan Workers' Compensation Law, *Stop Before You Crash: Workers' Compensation and Employment Law*, March 22, 2017

Telecommuting, Workers Compensation and Other Liability Issues, *Central Michigan Adjusters Association*, May 2012
