



In The News

Worker Fired After Comp Claim Garage Door Fell On His Head Missouri Lawyer's Weekly, May 19, 2003.

An employee who claimed an automobile dealer fired a workers' compensation claim sued the company for his lost wages and emotional distress.

Aaron Bishop was employed by Heartland Chevrolet in Kansas City. On June 28, 2001 he was injured at work when a garage door fell on his head. He was absent on medical leave for 17 days. On July 16 he returned to work but was reinjured the next day. Bishop then took an extended medical leave.

In November Heartland notified Bishop that his employment was terminated. The company said that Bishop had failed to perform his job duties and had violated safety policies, causing the June accident.

Bishop said that in his two years at Heartland he had an excellent performance record, including two raises, employee rewards and a promotion. He said that on June 28 he had been following the instructions of his supervisors when he was injured and that other employees who violated safety policies were not terminated. Bishop also said that these issues were not raised until after he had injured himself a second time and filed a workers' compensation claim.

The jury awarded Bishop \$47,500.

Type of Action: Wrongful termination- workers' compensation retaliation

Type of Injuries: Lost wages, emotional pain and suffering

Court/Case Number/Date: Jackson County Circuit Court/02CV205884/April 23, 2003

Caption: Bishop v. Heartland Chevrolet

Judge, Jury or ADR: Jury

Name of Judge: J.D. Williamson

Special Damages: None

Verdict or Settlement: \$47,500 verdict

Allocation of Fault: N/A

Last Offer: \$5,000



Last Demand: \$55,000

Attorneys for Plaintiff: Brendan J. Donelon, Kansas City

Insurance Carrier: TIG Specialty

Plaintiff's Experts: N/A

Defendant's Experts: N/A

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