



LAW UPDATE

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PENNSYLVANIA WORKERS COMPENSATION December 2007

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PENNSYLVANIA SUPREME COURT

Borough of Heidelberg and Inservco Ins. Serv., Inc. v. WCAB (Selva)

928 A.2d 1006

Decided: August 20, 2007

Claimant, a 64 year-old secretary of the Borough Volunteer Fire Department and volunteer emergency medical technician was injured while responding to an ambulance call. She was disabled as a result of the injury. Despite the fact that she admitted to not having a "paying job" for the last 32 years and having been a recipient of Social Security Old Age benefits since age 62, Claimant was entitled to wage loss benefits due to the irrebuttable presumption of earnings found in Section 601(b) of the Act. Claimant's receipt of Social Security benefits was not indicative as to whether she had effectively removed herself from the workforce.