

Injured Worker Terminated For Cause Loses TTD Benefits



A worker was injured his leg and knee in a work-related accident. He returned to work but was terminated while still on modified duty. The employer claimed the termination was for cause due to the worker's multiple safety violations and verbal abuse of his supervisor. After termination the workers' compensation board began paying temporary total disability (TTD) benefits and the employer challenged that decision. The Dispute Resolution and Decision Review Body ruled the employer's termination and withdrawal of the modified work entitled the worker to TTD benefits. The employer appealed. The Appeals Commission ruled that because the worker's modified work program ended upon termination and the termination was due to his safety violations and verbal abuse, that "modified work program ended for reasons within the worker's control," which disentitled him to TTD benefits