



The latest edition of Corporate Policyholder magazine covers insurance concerns stemming from the COVID-19 pandemic as well cyber security threats, risks from environmental liabilities, and purported gaps in commercial general liability policies.

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Insurance Recovery and Counseling

## WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY

### Sophisticated Approach

Separate from questions about the benefits an injured worker may be able to recover under state workers' compensation laws, our attorneys help employers with insurance coverage issues that may arise from workers' compensation claims.

Our attorneys are adept at helping confirm coverage for the possibility of employer liability under the limited circumstances in which an employer could face civil litigation outside the workers' compensation system regarding an employee's injury. We also help employers handle issues that are less about the scope of coverage under the insurance policy and more about complex workers' compensation programs and the financing of those arrangements.

We also advise on claims mishandling problems for clients that have loss-sensitive programs featuring large deductibles or retrospective premiums.

Notably, we have helped clients combat insurance company tactics such as misclassifying workers or entire businesses into class codes for riskier job duties that generate higher premiums. With all of these issues, we have deep experience in court, in arbitration, and in direct negotiation with insurance companies and third-party administrators.

Barnes & Thornburg's Insurance Recovery and Counseling group represents policyholders exclusively. Several of our attorneys, however, represented insurance companies before they joined our firm and that experience continues to provide valuable insight into how insurance companies think and operate.

Practice Leaders



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