

Avoiding Collisions at the Intersection of Workers' Compensation and Employment Law (EWC260925)

Friday, September 25, 2026

Hawthorne Inn - 2421 Berlin Tpk., Berlin

8:15 am: Registration and Breakfast

9:00 am: Hypothetical fact pattern - Will Madsen
What laws are applicable?

9:20 am: Federal/State FMLA and other Leave Laws - Heidi Lane
Learn critical factors your clients need to know in the analysis of the intersection of these laws.

10:05 am: Hypothetical discussion

10:20 am: Break

10:35 am: Connecticut Paid Family and Medical Leave Insurance Authority - Michael Cisar

The 2019 CT Paid Leave Act provides income replacement benefits to eligible employees in Connecticut. The Authority pays benefits to eligible employees, collects employee contributions from participating employers, provides outreach, reviews and provides oversight of employer applications for private plan exemptions, among other things.

11:20 am: Hypothetical discussion

11:35 am: When the Injured Worker Is Also an Employee with a Disability: Reasonable Accommodation Under the ADA and CFEPa – Will Madsen

A workplace injury does not stay inside the workers' compensation system. The moment an injury produces a qualifying impairment, the employer acquires a second and independent set of obligations under the Americans with Disabilities Act and the Connecticut Fair Employment Practices Act — obligations that a light-duty offer and an accepted compensation claim do not necessarily satisfy. This session works through the accommodation analysis as it actually arises after an injury: when a post-injury condition becomes a disability, why CFEPa's definition reaches further than the ADA's, and how a request for an extended leave of absence, schedule change, intermittent time off, or modified duties triggers a duty to engage that does not depend on the employee using the words "reasonable accommodation."

Using the seminar's hypothetical and other scenarios, we will examine the employer's and employee's obligations in connection with the "interactive process" surrounding accommodation requests, and issues concerning disparate treatment. We will address undue hardship, the limits of the essential-functions defense, when an employer may and may not seek supporting medical

documentation, and how a poorly papered accommodation file converts a defensible termination into a jury question.

12:20 pm – Lunch

1:05 pm: Beyond Workers' Compensation: Title VII, the ADEA, OSHA, ERISA Exposure Arising from Workplace Injuries and Medical Leave – Will Madsen

The workers' compensation file is rarely the only file. An injured employee who complains about the conditions that caused the injury, who is older or in a protected class, or whose disability benefits are costing the employer money, may hold claims that never appear on a Form 30C. This session surveys the statutes that surround a workplace injury and the leave that follows it: Title VII and the ADEA where discipline or termination follows the injury and comparators were treated differently, OSHA Section 11(c) where the employee has complained about safety, ERISA Section 510 where benefit costs enter the decision, and Connecticut's own retaliation protections, including General Statutes § 31-290a. In this session, we will trace the factors that drive nearly all of this exposure — protected classifications and conduct, problematic statements and conduct of managers and HR representatives, disparate treatment, and temporal proximity between protected conduct and adverse employment actions. We will identify where each statute attaches, what the administrative prerequisites and filing deadlines are, and how the remedies differ from and often exceed what the compensation system provides. The emphasis is practical: what claimants' counsel should look for, and where defense counsel and employers can still control the record.

1:50 pm: Modified duty, return to work and transitional duty programs: the obligations of the parties – Luke Strunk

The obligations of the employer under 31-313 and those of the employee under 31-308(a) including a discussion of transitional work assignments. Both the policies in support of a return to work and the intersection with other state and federal laws will be considered.

2:35 pm: Break

2:45 pm: Enlyte's Alternative Transitional Duty Program – Paul Bode

Alternative Transitional Duty is an innovative approach to managing injured workers' return-to-work (RTW) outcomes. When employers cannot accommodate temporary work restrictions at the worksite, Enlyte's Alternative Transitional Duty (ATD) program bridges the gap by placing injured employees in temporary transitional duty positions within non-profit community settings. The ATD program shifts focus from disability to ability, providing on-the-job work conditioning that reduces deconditioning while keeping injured employees productive, employed, and earning wages and benefits. The program simultaneously relieves employers of the administrative burden of creating and

supervising transitional duty arrangements—streamlining claims management and expediting recovery timelines.

3:05 pm: Panel and hypothetical discussion

4:15 pm: End