

My name is Raymond Philips and I am an injured worker residing in Auburn NY.

I suffered a back injury during my training to become a corrections officer. Due to this I was not able to complete my training and went out on workers comp. After being out of work for some time I was told I needed to do a job search in order to be paid.

At my final hearing for permanent impairment in October 2023, my benefits were stopped because the judge said I was not attached to the labor market. I did the best I could to find work. From August 7 until the hearing in October 2023, I submitted documents showing I applied for 16 jobs. The judge said this was not enough. I did my best to find jobs within my restrictions. I also submitted a letter from my accesvr counselor showing I was working with them. But the judge said because this letter was not on accesvr's letterhead, it was not good enough. It was not my fault that they gave it to me without letterhead. I provided what accesvr gave me and I had no control over what paper they put the letter on. I believe the requirements to show labor market attachment are too burdensome for injured workers with disabilities. Because of the judge's finding, I have not been paid since October 2023.

Also my doctor said I had a 3B permanent impairment to my back and felt I could do light work. The judge applied a "crosswalk" to my doctor's opinion to say this equals a 1/6, or 15%. The judge then found I had a 25% permanent impairment. This would mean I would get \$150 per week for 250 weeks when I was making 1k a week prior to my injury. There is no way I could survive off of this even if I was attached to the labor market.

After this hearing, I got a job. My lawyer asked for my benefits to start again based on that job. We won at a hearing on 3/24/24 but now the insurance company is appealing this decision. They are not agreeing to pay me while the appeal is pending. Now I will now be without benefits for longer. My lawyer has told me it could take 9 months to get a decision. I could be an entire year without benefits by then. I am actively looking for work and starting school in the Fall. None of this would have happened if the labor market requirements were not so hard to meet.

Thank you.

Raymond Phillips