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Workers' COMPanion

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MENTORS

IN MEMORY OF GUNNER RILEY

It must have been 1972. My family had just moved again, this time to our little house in Columbus from Joplin, Missouri, following a brief 3-month stint in Charleston, South Carolina. The rain kept falling. Sheets of water poured down for days. Steadily, the road in front of our house became a river. Then, the water rose all the way to our front door. A drunk woman drove up onto the stone marking the end of our driveway — it had become submerged and was invisible to her as she tried navigating her big old boat of a Cadillac down what she thought was the road.

Our little sump pump died a quick death and our basement flooded, with nearly 5 feet of water collecting beneath our house. Our next-door neighbors were out of town, and my dad decided that he and I should go over there to shut off their power. In their basement, their half-full deep freezer bobbed in the water. As I passed it on my way to the breaker box, I felt the electric current from 10 feet away. That is a feeling like no other. It scared the bejeezus out of me, and I never forgot it.

Fast-forward 28 years. As I pulled into my garage after work, I suddenly felt that same feeling again. I had learned things I never thought I would about my marriage and knew it was ending. I had three small sons, and it felt like my life was over. What was I going to do? I had no idea.

God blessed me mightily through a man who recently lost a battle with fast-moving pancreatic cancer on April 29, 2018. I met James Frank "Gunner" Riley through a recovery program for families of alcoholics. The disease flourished in my family growing up, and it had struck again in my marriage in all its glorious devastation. Gunner, an architect 19 years my senior, had gone through the same ordeal with his wife. When I didn't know how I could go on or what to tell my children, he shared with me what he had done. When suicide looked like an attractive option, he reminded me this was a permanent solution to a temporary problem. When I lost 85 pounds because I just couldn't eat for months, he'd calmly tell me, "This too shall pass."

As Gunner's cancer ran its rapid course, I was reading Kareem Abdul-Jabbar's book, "Coach Wooden and Me: Our 50-Year Friendship On and Off the Court." An odd couple those two — a 5'10" white coach from Indiana and a 7'2" black basketball player from New York City. Wooden had an enormous impact on so many young men over his 29-year coaching career and nearly 100-year life. His messages to his players were directed at how to be a success in both life and basketball, and they revered him for living what he preached.



I've had many mentors like that over the years — guides along the often-rocky path of life, men who've poured their wisdom into me and made me a better man. Sometimes it's so hard just to remember to keep moving forward, to put one foot in front of the other. In these times, it can feel almost impossible to remember that yes, this too shall pass, and that our heartbreak — though it seems never-ending — is fleeting. Gunner helped me remember this when I needed it most.

R.I.P., Gunner Riley, and may I pass onto others in need the things I learned from you. I'll always be grateful to you for helping keep me afloat during the flood.

- Jim Monast



TRANSPORTATION SAFETY TIPS

PROTECT YOUR CHILDREN DURING THEIR COMMUTE

With the school year fast approaching, families are in preparation mode. Parents are busy buying new clothes and school supplies and thinking about the best way to get their kids safely to school. Keeping your child safe on their commute starts with knowing the transportation method that works best for you and the rules that accompany that method.

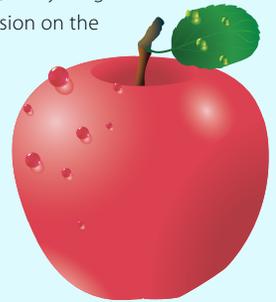
Taking the School Bus According to the United States Department of Transportation, the school bus is the safest means of transportation to and from school. Buses are built to withstand a hit and distribute the damage throughout the vehicle, keeping its passengers safe and sound.

Knowing basic bus safety will help kids be mindful when taking the bus. Before the school year starts, take your children to the bus stop and show them where they should stand when the bus approaches — a minimum of three large steps or 6 feet from the street. Tell your kids about the importance of sitting still and not standing in the bus while it's in motion.

Young Pedestrians on the Road Whether your child is biking, walking, or even skateboarding, it's vital that they know and follow the rules of the road. All children should practice road safety behavior, such as riding on the right side of the road, wearing helmets, stopping at stop signs, and watching out for cars. Internalizing these habits will help them stay aware of their surroundings when traveling to and from school.

Sharing the Road When school starts, the roads become even more cluttered than usual. On top of people heading to work, there are large buses making frequent stops, parents rushing to drop their kids off, and young kids biking or walking to school. With the added tension on the road, it's important to be alert and move cautiously. Slowing down in school zones or around young pedestrians will keep you vigilant and could potentially save lives.

Teach your kids to be prepared and safe on the road to ensure that they have a healthy and safe school year.



CASE STUDY

LINDA J.

Linda J. from Lima, Ohio, is a textbook example of how an employer and its representative sometimes just go out of their way to jerk someone around.

Linda worked part time at a department store whose name you'd recognize. She used her office chair as a stepladder to get something off a shelf but lost her balance and fell, cracking her head on the concrete floor. The most serious residual of her accident was the closed head injury, which ultimately degenerated into a diagnosis of "pre-senile dementia, post-concussion syndrome, and anxiety." Not surprisingly, she was ultimately granted permanent total disability in her claim.

What's more surprising is the personal animosity with which the employer's defense attorney pursued this case. After one hearing before the Commissioners themselves, at which the employer had disputed recognition of psychological conditions on procedural grounds, their attorney walked out of the hearing and presented me with a copy of the defense medical report he previously claimed he hadn't yet received — in fact, the defense doctor had agreed with our position 100 percent! (We won the hearing, by the way.)

More outrageous was how the employer and its attorney continued to harass Linda and her husband after permanent total disability had been awarded. Linda's husband, Ed, had pastored a church in the Lima area for more than 20 years. During that time, as the pastor's wife and a gifted pianist, Linda had accompanied the choir during worship services. After her injury, and at the recommendation of her counselor, she would play hymns she knew from memory and a lifetime of praising God. She would only fill in for the regular keyboardist every third week or so ... but she felt safe as part of a congregation of people who loved and supported her through so much.

One day, the employer's attorney arranged for a private investigator to infiltrate the service to get video of Linda playing the piano. Although he ultimately ran off from the service — his tires throwing gravel in the parking lot like something out of "Dukes of Hazzard" — after being approached by members of the church, the employer filed a motion with the video and statements from the investigator, asking that Linda's permanent total disability benefits be stopped. They argued that if she could play a piano in church, she could certainly find work as a musician somewhere!

The hearing, as the MasterCard commercials say, was priceless. Conducted in Lima before a senior hearing officer of the Industrial Commission, the defense attorney (himself a former hearing officer) was humiliated. In a three-page, single-spaced order, the Industrial Commission found that not only was the investigator's statement inaccurate and unsigned, but he had actually videotaped the wrong person in the service playing the piano! (Ah, some moments are to be savored and this was one ...) He also found that playing hymns memorized since childhood for 20 minutes every third Sunday was therapeutic for Linda and in no way constituted work activity such that PTD benefits should be terminated. As he said, this did not qualify her to play at Carnegie Hall.

As an aside, the defense attorney in this case previously had a father-in-law who was a pastor, and I am convinced that he particularly relished trying to make life miserable for Linda and Ed out of bad feelings toward his former wife's dad. In any event, after the humiliation in front of the Industrial Commission, the wind seems to have gone out of the defense attorney's sails, as he hasn't pestered them further. I also want to report that it is rare that I see people go through such persecution with as much grace as Linda and Ed. They have truly lived out and modeled their faith through very difficult circumstances.

IS YOUR INJURY WORSE THAN YOU FIRST THOUGHT?

GET HELP FILING FOR AN ADDITIONAL ALLOWANCE



It's hard to know how an accident will affect you down the road. Even doctors can't always tell. For example, after a fall from a ladder while fighting a fire for the Springfield Fire Rescue, your broken arm will be apparent, but your hidden back injury may not be diagnosed until weeks later. And if you've already filed a workers' comp claim for the broken arm, you must file for an additional allowance to get treatment for the back injury. This can be tricky, and you'll definitely want to work with an attorney to make sure you present the strongest possible claim.

What can go wrong with an additional allowance claim?

It may be evident to you and your doctor that an injury with delayed symptoms is related to your work accident, but the Ohio Bureau of Workers' Compensation (BWC) will not take your word for it. It approved your claim based on the injury you already reported, following the accident. To authorize additional allowances, the BWC requires strong evidence connecting the new condition to the original incident.

The application may come from your treating physician, who can submit a C-9 request form to the BWC. Or, you or your attorney can move for recognition of additional conditions.

As a workers' compensation attorney, I can't stress enough the importance of consulting an attorney before filing this motion. Experienced legal counsel can evaluate the strength of the medical evidence and evaluate your chances of success. Without clear and compelling evidence, your case may be referred to the Industrial Commission for a hearing. If you lose this hearing, you may file an appeal — but this process is time-consuming and there's no guarantee of success.

Even if you or your doctor have already submitted a C-9 and you've received a Notice of Hearing, you shouldn't move forward with the hearing without an attorney to present a strong case on your behalf.

If you're considering filing for an additional allowance, **give Jim Monast a call at 614-334-4649 to schedule a free case evaluation.** We have helped numerous employees get approval for additional allowances, and we would love to help you too!

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ANSWER



ABBY'S APPETIZERS

GREEN BEAN & SESAME SALAD

If you need an easy, healthy side dish with plenty of flavor, this green bean salad will be the perfect addition to your summer menu.

INGREDIENTS

- 3 cups green beans, ends trimmed
- 1 small red onion, finely chopped
- 1 teaspoon white wine vinegar
- Small bunch of fresh mint
- 1 tablespoon olive oil
- Small bunch of flat-leaf parsley
- 2 tablespoons sesame seeds, toasted
- Salt and pepper, to taste

DIRECTIONS

1. Bring a large saucepan of water to boil; cook green beans for 4–5 minutes; drain well.
2. In a blender, mix finely chopped mint and parsley with olive oil, vinegar, salt, and pepper. Blend until combined.
3. Add dressing, onion, and sesame seeds to beans. Toss together. Cool dish, then refrigerate until ready to serve.

Inspired by Delicious magazine

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THE BEST WAYS TO COOL YOUR MOUTH AFTER EATING SOMETHING SPICY



When you pop something spicy into your mouth, it's always good to have a cool beverage nearby. You never know when you're going to need to put out a fire. But when your mouth feels like it's going up in flames, some methods of cooling are better than others.

Let's get this out of the way first: Water and soda are two of the worst ways to cool off your mouth after eating something spicy. Water, soda, and even fruit juice will simply spread the heat around, meaning that fiery sensation will only last longer.

To combat the heat, it's important to understand where that sensation comes from. Many spicy sauces and dishes get their heat from capsaicinoids, or specifically, capsaicin, an oily compound that loves to stick to your tongue. It's important to note that capsaicin is not water-soluble.

Chili peppers are a primary source of capsaicin. Other foods, such as mustard, radish, horseradish, and wasabi, get their heat from a compound called allyl isothiocyanate. This compound does not usually stick around as long as capsaicin.

So, what can you do to beat the heat?

For heat brought on by chili peppers, you want a beverage that contains compounds capable of binding with the oiliness of capsaicin. The best compound? Fat. Whole milk will help, but here are some even better alternatives:

- Half-and-half
- Yogurt
- Kefir
- Sour cream
- Ice cream

And for those who are lactose intolerant or vegan, soy milk and peanut butter can help too. The higher the fat content, the better!

What about those other foods, like mustard and wasabi? Unlike capsaicin, allyl isothiocyanate is partially water-soluble. This means water and soda will help cool you down — but you still can't beat dairy.

The next time you eat a habanero pepper or put too much hot sauce on your eggs, having a glass of half-and-half on standby can be a lifesaver. It may sound a little weird, but your mouth will thank you.