

## Returning to a Brick Wall: When The Employer Would Rather Not Take Disability Claimants Back

News

10.02.12

The article "Returning to a Brick Wall: When The Employer Would Rather Not Take Disability Claimants Back," in the October issue of *National Underwriter Life & Health*, featured commentary by Rosemary Gousman, managing partner of the New Jersey office. The article focused on the challenges that employers can sometimes face when dealing with return-to-work issues following a disability claim. Rosemary said that she sees many cases of employers struggling to get disability claimants to return to work throughout the course of a typical year along with a few claimants per year who are fighting to get the employers to take them back. She noted that the workers' compensation community has been better at getting workers' comp claimants back to work quickly than the non-occupational disability insurance community has been at getting short term and long term disability claimants back to work. She also noted that if an employer has a valid reason to refuse to take a claimant back they need to start planning for that possibility and documenting the circumstances as early as possible. If, for example, the employer will have to lay off an employee who is collecting disability benefits because of the state of the economy, "you better make sure you don't just have a layoff of the one person who's collecting disability."

---

Please reach out to our [Media team](#) for any news inquiries.

### ***Related People***



**Rosemary S. Gousman**  
Partner  
908.516.1060  
Email