

STRIVE FOR EXCELLENCE

NEWSLETTER

Informing The Injured One Claimant At A Time



Your Employer May Be Stealing Your Pension Time

Have you ever checked your pension contributions? There is an ongoing interaction between workers' compensation and the division of pensions and benefits in the State of New Jersey for any public employee, teacher or police and fireman. If you have sustained an injury while in the course of your employment you have received workers' compensation benefits. Specifically, you have



- 1) received medical treatment by an authorized doctor.
- 2) been paid temporary disability benefits if you missed work.
- 3) received an award through workers' compensation if you sustained an injury as a result of your work accident.

What you may not be aware of is that any member of the retirement system, who receives periodic benefits payable under workers' compensation, while you are in the course of your active service, **MUST** have their employer pay the pension contribution to the retirement system. It is the law! The New Jersey Pension statute, the New Jersey Supreme Court and the Division of Pensions and Benefits all state the employer **MUST** make the payment.

If you have missed time from work or received an award or even worse know someone who has not been able to return to work because of a work accident, it is critical that you contact the division of pensions and benefits to determine whether or not these contributions were made. The Division of Pensions through the Member Service Online System will provide the information OR you can request a printout out of any time which you have in the pension system which will show whether there are any gaps in contributions. If a gap exists you should cross-reference that with the period of time you were out on workers' compensation, and if it appears the employer did not make their pension contributions you can contact the Pensions and request that they collect your contribution for you.



If you have any questions regarding workers compensation, disability pensions or social security disability please pick up the phone and call 609-771-8611 or e-mail me at sgaylord@gaylordpopp.com.

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Hello! We are pleased to send you this monthly issue of *Legal Insider Newsletter*. It is our way of saying that you are important to us and we truly value your business. Please feel free to pass this newsletter on to friends and neighbors. Enjoy!

Monthly Joke



What not to say when being robbed

A drunk walking down a dark alley was attacked by two muggers late at night.

Despite his state of intoxication, he was able to put up a ferocious fight.

The muggers finally knocked him down and tied him up.

When they took his wallet, though, they were enraged to find only two dollars.

"Why did you put up that kind of fight for only two lousy bucks?" one of the muggers demanded.

The drunk shrugged. "I was afraid you'd find the \$200 I got in my shoe."

How Personal Injury Law Can Help After a Natural Disaster



Natural disasters defined as an event that affects humans or the environment in a significant way, such as an earthquake, flood, tornado, wildfire, avalanche, etc. Personal law covers any wrong or damage done to another in his person, property, rights, or reputation. So how do natural disaster and personal injury law cross paths?

When you suffer injuries because of a natural disaster, you will generally receive compensation as a result of personal injury laws. There are attorneys that specialize in personal injury that can handle these claims. In fact, if you find yourself in such a situation you will want to have a lawyer working for you.

When a natural disaster occurs if your injuries can be attributed to the actions of a person you could have a personal injury claim. For example, a forest fire that is the result of a person not extinguishing a cigarette properly, where you suffer injuries, could mean you have a personal injury lawsuit. You should speak with a personal injury attorney as soon as possible.

Other examples might be when appropriate warning signs were not present. For example, in a public area prone to mudslides, there were no warning signs. You could have

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GUEST OF THE MONTH

When Does “Workplace Bullying” Become Illegal Harassment?

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It happens, literally, fifty times each week, on average. A hopeful client calls and tells us “I’m being bullied at work,” or “I’m being harassed.” We ask how bad it is. It’s usually pretty bad. Sometimes there’s medical care, stress leave, and always, there’s humiliation, embarrassment, and anger. We say we understand, because we do. But then we ask the important question, the one that determines if we can help: “*Why* are they bullying or harassing you?”



Most harassment and bullying, regrettably, isn’t actionable in a lawsuit because, despite having been proposed, New Jersey’s Workplace Bullying Law has never been passed. And it’s badly needed. Nearly 50% of all workers, in some studies, have reported workplace bullying or harassment, and according to polls, most people – over two thirds – support such a law being passed. But if “generic” bullying or harassment *isn’t* actionable, what conduct *is*?

When harassment or bullying is severe enough, *and when, most importantly*, it’s “because of” race, gender, gender identity or expression, ethnicity, national origin, sexual or perceived sexual orientation, religion or creed, military service, blood or cellular or genetic trait, pregnancy, disability or perceived disability or age, then we can help. As well, when the harassment is “because of” protected conduct such as whistleblowing (objecting to, reporting, or refusing to take part in, illegal or fraudulent conduct), taking a family leave under state or federal law, or assisting or supporting someone else who makes a discrimination claim, the harassment is illegal.

The New Jersey Law Against Discrimination, our state’s Civil Rights law, allows you to present your claim in Court, before a jury, and be compensated for the pain, suffering, anger, embarrassment and loss of dignity that such illegal workplace bullying or harassment can involve. As well, if management or ownership participated in the treatment or ignored it, punitive damages are available.

Lastly, and most importantly, when we at Costello & Mains win those trials, the *defendants* have to pay our bill; *you* don’t. Your employment rights are your *civil* rights, protected by the state and Federal Constitutions, and they’re *that* important. If you feel that you’ve suffered from any of the above types of harassment or bullying, call The Employment Rights Lawyers at Costello & Mains, 856-727-9700, or contact us at www.costellomains.com. Our consultation is always free, employment law is pretty much all we do, and we know our stuff.

Kevin M. Costello, Esq., Shareholder

Certified by the Supreme Court of New Jersey as a Civil Trial Attorney

A Peek Inside

I've said for years, my wife works harder than I do every day. However, over the last several weeks, I've had the opportunity to experience exactly how hard. Two weeks ago my wife Amy had her knee replaced. If you ever need to go through that experience I highly recommend the Rothman Institute and Thomas Jefferson Hospital. The experience, although traumatic, was made much more pleasant as a result of the professionalism demonstrated by the staff at both facilities.

As a result of my wife's temporary incapacity, I have become Mr. Mom; chauffeur, cook, housekeeper, while still remaining active in my real job. She is getting better and has more mobility every day so for that we're very thankful. But this experience has provided a deeper appreciation for how much she does on a daily basis.

Spring has certainly sprung into full swing and as a result my son has started his second season of Little League. It is very exciting to see how motivated one little boy can get over a baseball uniform. He certainly enjoys his teammates and can't wait to throw the ball around or take some extra swings before or after practice and games. In addition to his budding baseball career he continues to play goalie for his travel soccer team and is following in his sister's footsteps in that being his favorite position to play. My daughters both just finished their third marking period with outstanding grades and remain exceptionally active in their extracurricular activities. I hope everyone had a Happy Easter and Passover and look forward to speaking with you next month. I want to thank everyone for their comments and encourage everyone to continue sending me your requests as to information in this newsletter. In addition, please like us on Facebook and if you know anyone who would be interested in receiving the newsletter please have them contact me directly at sgaylord@gaylordpopp.com. Your participation is greatly appreciated.

Samuel Gaylord



Improving Your Heart Health

Some risk factors for heart diseases are out of your control, such as health problems inherited from your parents, or simply your age, but many others relate to your lifestyle, including having an unhealthy diet, being overweight and smoking. Your health can therefore be improved by adopting a healthier lifestyle and a heart-healthy diet.



The only really healthy solution for smoking is to quit. This can be difficult, but it is far from impossible and will eventually lead to success. It can also be a good idea to discuss with your doctor medications that actually cut down your craving for nicotine.

Within days of stopping smoking, your blood pressure will begin to go down, the carbon monoxide and oxygen in your blood will go back to normal levels, your blood flow and breathing will improve and shortness of breath and coughing will decrease. Losing weight, even as little as just five to ten percent of your current weight, can also cut down your risk of having heart problems.

Natural Disasters Cont'd

the potential for a personal injury negligence case against the defendant(s).

Often a personal injury attorney will also handle natural disaster cases that result in a class action lawsuit, which means there are numerous plaintiffs injured by one or more defendants.

In many natural disasters, there is an underlying human error that results in the disaster or lack of proper safety measures in place to protect people should a natural disaster occur. In these instances, you may have the right to personal injury compensation and you should see a personal injury attorney as soon as possible.

What's Happening In May?

Law Day, May 1. President Dwight D. Eisenhower proclaimed May 1 Law Day in 1958, stating, "In a very real sense, the world no longer has a choice between force and law. If civilization is to survive it must choose the rule of law."

Memorial Day, May 26. Observed on the final Monday of May, Memorial Day remembers the men and women who gave their lives in the service of the United States.

International Firefighters' Day, May 4. A day to remember the firefighters who have died while serving our communities or dedicated their lives to protecting the safety of us all.

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A MONTHLY NEWSLETTER TO INFORM AND ENTERTAIN OUR CUSTOMERS

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HAPPY MOTHER'S DAY!

Mother's Day is the 2nd Sunday of May and became a recognized holiday in 1914 in the United States.

The first Mother's Day was celebrated in 1908. Anna Jarvis honored her mother Ann Jarvis with a memorial. Ann Jarvis had started a committee in 1868 to establish 'Mother's Friendship Day'. Her motivation had been to reunite families after the Civil War. She died in 1905, before Mother's Day became a holiday.

Approximately 122 million phone calls are made to moms on Mother's Day in the United States.

Of all the flowers bought for holidays, one quarter are purchased for Mother's Day.



Spring has finally arrived, and it is literally a breath of fresh air! I hope you all are taking some fun time outside. Enjoy the sun...and don't forget to enjoy our newsletter! I wish everyone a happy spring, and a Happy Mother's Day to all moms out there!

Samuel Gaylord

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.....and more!

Samuel Gaylord specializes in the areas of Workers' Compensation, Social Security Disability and Disability Litigation. Mr. Gaylord is certified by the New Jersey Supreme Court as a workers compensation law attorney and is admitted to practice in New Jersey, Pennsylvania and Washington D.C and before the United States Supreme Court.

How to Crank Up Your Creativity

Working long hours, fulfilling civic commitments and keeping up with the activities of our children can take its toll and every so often everyone hits the wall. When this happens, it can sometimes feel like a hopeless task to try and find our creativity again. The good news is while our creativity may occasionally get tired, it never really goes away and you crank it back up again by following a few simple pieces of advice. One good tip that has been proven to induce creativity is to journal your thoughts. Let the words flow completely naturally without trying to make them perfect and just see where your pen can take you.



Another good tip is to read inspiring quotes. Other people's words can fire you up creatively and beautiful poetry or inspirational quotes can trigger your thought processes and maybe even deliver you to somewhere completely unexpected.

Even looking up new words can have an impact on your creativity. Look up the meaning of unfamiliar words too as either the definition or just the word itself can lead to inspiration.