

JOHN F. BURTON, JR.

CURRENT POSITION

Title: Distinguished Professor Emeritus, School of Management and Labor Relations (SMLR), Rutgers University: The State University of New Jersey, 2005-
And
Professor Emeritus, School of Industrial and Labor Relations, Cornell University

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EDUCATION

Ph.D. (economics), University of Michigan 1965.
Dissertation: "The Significance and Causes of the Interstate Variations in the Employers' Costs of Workmen's Compensation."

LL.B., University of Michigan, 1960.

B.S. (industrial and labor relations), Cornell University, 1957.

PREVIOUS EXPERIENCE INCLUDES

Professor II (Distinguished Professor), School of Management and Labor Relations, Rutgers University, 1991-2005.

Dean, School of Management and Labor Relations, Rutgers University, 1994-2000; Director, Institute of Management and Labor Relations, Rutgers University, 1991-94.

Acting Dean, School of Business - New Brunswick, Rutgers University, 1993-95.

Professor in Departments of Labor Economics and of Collective Bargaining, Labor Law, and Labor History, New York State School of Industrial and Labor Relations, Cornell University 1978-1990.

Visiting Professor, New York State School of Industrial and Labor Relations, Cornell University, 1977-1978.

Professor (initially Associate Professor) of Industrial Relations and Public Policy, Graduate School of Business, University of Chicago, 1966-1978.

Chairman, National Commission on State Workmen's Compensation Laws, 1971-1972.

Senior Staff Economist, Council of Economic Advisers, 1967-1968.

Assistant Professor (initially Lecturer), Department of Economics, Yale University, 1964-66.

PUBLICATIONS INCLUDE

- “Is the Work-Related Test Desirable for All Diseases that Disable Workers?” in Itzhak Eliasof et al, *Steve Adler: Essays in Honor of Justice (Retired) Stephen Adler, President of the National Labor Court in 1997-2010*. Israel: Nebo. 2016.
- (with Xuguang (Steve) Guo), “Improving the Interaction Between the SSDI and Workers’ Compensation Programs,” in *SSDI Solutions: Ideas to Strengthen the Social Security Disability Insurance Program*. West Conshohocken, PA: Infinity Publishing in conjunction with The McCrery-Pomeroy SSDI Solutions Initiative. 2016.
- “Economics of Safety,” in James D. Wright, ed. *International Encyclopedia of the Social & Behavioral Sciences, 2nd ed.* Oxford, UK: Elsevier Ltd. 2015.
- “Should There be a 21st Century National Commission on State Workers’ Compensation Laws?” *IAIABC Journal* [International Association of Industrial Accident Boards and Commissions]. Spring 2015.
- (with Ishita Sengupta, Virginia Reno, and Marjorie Baldwin) *Workers’ Compensation: Benefits, Coverage, and Costs, 2010*. Washington, DC: National Academy of Social Insurance. 2012.
- (with Xuguang (Steve) Guo), “The Growth of SSDI Applicants: A Spillover Effect from Workers’ Compensation.” *Social Security Bulletin*. August 2012.
- (with Emily A. Spieler), “The Lack of Correspondence Between Work-Related Disability and Receipt of Workers’ Compensation Benefits.” *American Journal of Industrial Medicine*. 2012.
- (with Douglas J. Holmes and Gregory Krohm) “Developments in Workers’ Compensation: The Burton, Holmes, and Krohm Debate.” *IAIABC Journal*, Vol. 49, No. 1. Spring 2012.
- (with Steven L. Willborn, Stewart J. Schwab, and Gillian L. L. Lester), *Employment Law: Cases and Materials, Fifth Edition*. Newark, NJ: LexisNexis Publishing. 2012
- “The National Commission on State Workmen’s Compensation Laws,” in Gregory C. Krohm, ed., *Reflections on the History and Development of Workers’ Compensation in the United States*. Madison, WI: International Association of Industrial Accident Boards and Commissions. 2011.
- (with Ishita Sengupta and Virginia Reno) *Workers’ Compensation: Benefits, Coverage, and Costs, 2009*. Washington, DC: National Academy of Social Insurance. 2011.
- “Workers’ Compensation,” in Jerry S. Rosenbloom, ed., *The Handbook of Employee Benefits: Seventh Edition*. New York: McGraw Hill. 2011.
- “The Relationship Between Disability Discrimination and Age Discrimination in Workers’ Compensation,” in Richard L. Weiner and Steven L. Willborn, eds., *Disability and Aging Discrimination: Perspectives in Law and Psychology*. New York: Springer. 2011.
- (with Ishita Sengupta and Virginia Reno) *Workers’ Compensation: Benefits, Coverage, and Costs, 2008*. Washington, DC: National Academy of Social Insurance. 2010.
- (with Florence Blum) “A Detailed Analysis of Workers’ Compensation Costs by Region, Industry, and Other Variables,” in Janet R. Douglas, ed., *A Field Guide to Workers’ Compensation*. 2010.
- (with Xuguang (Steve) Guo) “Workers’ Compensation: Recent Developments in Moral Hazard and Benefit Payments.” *Industrial and Labor Relations Review*. January 2010.
- “Workers’ Compensation,” in Kenneth G. Dau-Schmidt, Seth D. Harris, and Orly Lobel, eds., *Labor and Employment Law and Economics*. Cheltenham, UK and Northampton, MA: Edward Elgar Publishing. 2009.

- (with Ishita Sengupta and Virginia Reno) *Workers' Compensation: Benefits, Coverage, and Costs*, 2007. Washington, DC: National Academy of Social Insurance, 2009.
- (with Patricia McHugh), *A Workers' Guide to The New Jersey Workers' Compensation Law, Fourth Edition*. New Brunswick, NJ: Rutgers University, School of Management and Labor Relations, 2009.
- "The *AMA Guides* and Permanent Partial Disability Benefits," *IAIABC Journal*, Fall 2008.
- (with Ishita Sengupta and Virginia Reno) *Workers' Compensation: Benefits, Coverage, and Costs*, 2006. Washington, DC: National Academy of Social Insurance, 2008.
- (with Xuguang (Steve) Guo) "The Relationship Between Workers' Compensation and Disability Insurance." *Labor and Employment Relations Association: Proceedings of the 60th Annual Meeting*, 2008.
- "The Mystery of Workers' Compensation Reform Solved." *IAIABC Journal*, Fall 2007.
- (with Seth Seabury, Michael McGeary, and Robert T. Reville), "The Relationship Between Impairments and Earnings Losses in Multicondition Studies," Appendix C in Michael McGeary, Morgan A. Ford, Susan R. McCutchen, and David K. Barnes, eds., *A 21st Century System for Evaluating Veterans for Disability Benefits*. Washington, DC: The National Academies Press, 2007. I was a member of the Institute of Medicine Committee that prepared this study.
- (with Ishita Sengupta and Virginia Reno), *Workers' Compensation: Benefits, Coverage, and Costs*, 2005. Washington, DC: National Academy of Social Insurance, 2007.
- "Workers' Compensation in the United States: A Primer." *Perspectives on Work*, Summer 2007. Published by the Labor and Employment Relations Association.
- (with Steven L. Willborn, Stewart J. Schwab, and Gillian L. L. Lester), *Employment Law: Cases and Materials, Fourth Edition*. Newark, NJ: LexisNexis Publishing, 2007.
- "The National Commission 33 Years Later: What Have We Learned?" Part Two. *IAIABC Journal*, Spring 2006.
- (with Ishita Sengupta and Virginia Reno), *Workers' Compensation: Benefits, Coverage, and Costs*, 2004. Washington, DC: National Academy of Social Insurance, 2006.
- "Workers' Compensation," in Jerry S. Rosenbloom, ed., *The Handbook of Employee Benefits: Sixth Edition*. New York: McGraw-Hill, 2005.
- (with Robert T. Reville, Seth A. Seabury, Frank W. Neuhauser, and Michael D. Greenberg), *An Evaluation of California's Permanent Disability Rating System*. Santa Monica, CA: RAND Institute for Civil Justice, 2005.
- "The National Commission 33 Years Later: What Have We Learned?" Part One. *IAIABC Journal*, Fall 2005.
- (with Ishita Sengupta and Virginia Reno), *Workers' Compensation: Benefits, Coverage, and Costs*, 2003. Washington, DC: National Academy of Social Insurance, 2005.
- (with Florence Blum and Elizabeth H. Yates), *Workers' Compensation Compendium 2005-06, Volume One*. Princeton, NJ: Workers' Disability Income Systems, 2005.
- (with Florence Blum), *Workers' Compensation Compendium 2005-06, Volume Two*. Princeton, NJ: Workers' Disability Income Systems, 2005.
- "Permanent Partial Disability Benefits." In Karen Roberts, John F. Burton, Jr., and Matthew M. Bodah, eds., *Prevention and Compensation of Workplace Injuries and Diseases: Essays in Honor of Terry Thomason*. Kalamazoo, MI: W. E. Upjohn Institute for Employment Relations, 2005.
- (with Emily Spieler). "Workers' Compensation and Older Workers." *IAIABC Journal*, Fall 2004.

- (with Cecili Thompson Williams and Virginia Reno) *Workers' Compensation: Benefits, Coverage, and Costs, 2002*. Washington, DC: National Academy of Social Insurance, 2004.
- “The National Commission on State Workmen’s Compensation Laws: Some Reflections by the Former Chairman.” *IAIABC Journal*, Fall 2003.
- (with Cecili Thompson Williams and Virginia Reno) *Workers' Compensation: Benefits, Coverage, and Costs, 2001*. Washington, DC: National Academy of Social Insurance, 2003.
- (with Daniel J.B. Mitchell) “Employee Benefits and Social Insurance: The Welfare Side of Employee Relations.” In Bruce E. Kaufman, Richard A. Beaumont, and Roy B. Helfgott, eds., *From Industrial Relations to Human Resources and Beyond: The Evolving Management of Employee Relations*. Armonk, NY: M.E. Sharpe, 2003. (Selected by the Princeton University Industrial Relations Section as one the *Noteworthy Books in Industrial Relations and Labor Economics, 2003*.)
- (with Terry Thomason) “Unionization Trends and Labor-Management Cooperation in the Public Sector.” In Jonathan Brock and David B. Lipsky, eds. *Going Public: The Role of Labor-Management Relations in Delivering Quality Government Services*. Champaign, IL: Industrial Relations Research Association (Cornell University Press), 2003.
- “Improving Policies and Approaches to Employment Relations: Protecting Workers and Their Families from Economic Insecurity.” In Adrienne Eaton, ed., *Industrial Relations Research Association: Proceedings of the 55th Annual Meeting*, 2003.
- (with Daniel Mont, Virginia, Reno, and Cecili Thompson) *Workers' Compensation: Benefits, Coverage, and Costs, 2000 New Estimates*. Washington, DC: National Academy of Social Insurance, 2002.
- (with Steven L. Willborn and Stewart J. Schwab) *Employment Law: Cases and Materials, 3rd ed.* Lexis Law Publishing, 2002.
- (with Timothy Schmidle) “Occupational Safety and Health.” In Malcolm Warner, ed. *International Encyclopedia of Business & Management, 2nd ed.* London, UK: Thompson Learning, 2002.
- (with Daniel Mont, Virginia, Reno, and Cecili Thompson) *Workers' Compensation: Benefits, Coverage, and Costs, 1999 New Estimates and 1996-1998 Revisions*. Washington, DC: National Academy of Social Insurance, 2001.
- “Economics of Safety.” In Neil J. Smelser and Paul B. Bales, Editors-in-Chief, and Orley Ashenfelter, Economics Section Editor, *International Encyclopedia of the Social & Behavioral Sciences*. Oxford, UK: Elsevier Science, 2001.
- (with Emily Spieler) “Workers’ Compensation and Older Workers.” *Health and Income Security for an Aging Workforce*, Brief No. 3. Washington, DC: National Academy of Social Insurance, 2001.
- (with Terry Thomason and Timothy P. Schmidle) *Workers' Compensation: Benefits, Costs, and Safety under Alternative Insurance Arrangements*. Kalamazoo, MI: W.E. Upjohn Institute for Employment Research, 2001. (Selected by the Princeton University Industrial Relations Section as one the *Noteworthy Books in Industrial Relations and Labor Economics, 2001*.)
- (with Emily Spieler) “Workers’ Compensation and Older Workers.” In Peter P. Burdetti, Richard V. Burkhauser, Janice M. Gregory, and H. Allan Hunt, eds., *Ensuring Health and Income Security for an Aging Workforce*. Kalamazoo, MI: W. E. Upjohn Institute for Employment Research, 2001.

- (with Terry Thomason) "The Cost of Workers' Compensation in Ontario and British Columbia." In Morley Gunderson and Douglas E. Hyatt, eds., *Workers' Compensation: Foundations for Reform*. Toronto, ON: University of Toronto Press, 2000.
- (with Daniel Mont and Virginia Reno) *Workers' Compensation: Benefits, Coverage and Costs, 1997-98*. Washington, DC: National Academy of Social Insurance, 2000.
- (with Emily Spieler, Peter Barth, Jay Himmelstein, and Linda Rudolph) "Recommendations to Guide the Revision of the Guides to the Evaluation of Permanent Impairment." *Journal of the American Medical Association (JAMA)*. January, 2000.
- (with Daniel Mont and Virginia Reno) *Workers' Compensation: Benefits, Coverage, and Costs, 1996 New Estimates*. Washington, DC: National Academy of Social Insurance. 1999.
- "Prevention of Workplace Injuries and Diseases." In *Medizinisch-Rechtliche Aspekte von Arbeitsunfällen, Band I: Pravention [Medical Legal Aspects of Work Injuries: Book I: Prevention]*. Essen, Germany: DZS GmbH. 1999.
- (with Terry Thomason and Douglas E. Hyatt, eds.) *New Approaches to Disability in the Workplace*. Industrial Relations Research Association/Cornell University Press, 1998. Co-author of chapters on "Disability and the Workplace" (with Thomason and Hyatt) and "Compensation for Disabled Workers: Workers' Compensation" (with Emily A. Spieler).
- (with Steven L. Willborn and Stewart J. Schwab) *Employment Law: Cases and Materials*, 2nd ed. Lexis Law Publishing, 1998.
- "Should Work Injuries and Nonwork Injuries Be Compensated Differently?" In Elizabeth H. Yates and John F. Burton, Jr. eds., *International Examinations of Medical-Legal Aspects of Work Injuries*. Scarecrow Press, 1998.
- (with James R. Chelius) "Workplace Safety and Health Regulations: Rationale and Results." In Bruce E. Kaufman, ed., *Government Regulation of the Employment Relationship*. Industrial Relations Research Association, 1997.
- "Workers' Compensation, Twenty-Four Hour Coverage, and Managed Care." In Virginia P. Reno, Jerry L. Mashaw, and Bill Gradison, eds., *Disability: Challenges for Social Insurance, Health Care Financing, and Labor Market Policy*. National Academy of Social Insurance, 1997.
- (with William G. Johnson and Marjorie L. Baldwin) "Why is the Treatment of Work-Related Injuries So Costly? New Evidence from California." *Inquiry*, Spring 1996.
- (with Timothy P. Schmidle) *1996 Workers' Compensation Year Book*. LRP Publications, 1995.
- (with Sandra Sinclair) "Development of a Schedule for Compensation of Noneconomic Loss: Quality-of-Life Values vs. Clinical Impairment Ratings." In Terry Thomason and Richard P. Chaykowski, eds., *Research in Canadian Workers' Compensation*. IRC Press, Queens University, 1995.
- (with Timothy P. Schmidle) *1995 Workers' Compensation Year Book*, LRP Publications, 1994.
- "Lessons from Workers' Compensation." In Forrest P. Chisman, Lawrence D. Brown, and Pamela J. Larson, eds. *National Health Reform: What Should the State Role Be?* National Academy of Social Insurance, 1994.
- (with Timothy P. Schmidle) *1994 Workers' Compensation Year Book*, LRP Publications, 1993.
- (with Steven L. Willborn and Stewart J. Schwab) *Employment Law: Cases and Materials*. The Michie Company, 1993, with 1996 Supplement.
- (with William G. Johnson, Lisa Thornquist, and Brian Zaidman) "Why Does Workers' Compensation Pay More for Health Care?" *Benefits Quarterly*. Fourth Quarter 1993.

- (with Terry Thomason) "Economic Effects of Workers' Compensation in the United States: Private Insurance and the Administration of Compensation Claims." *Journal of Labor Economics*. January 1993.
- "Twenty-Four Hour Health Care Coverage: Is the Work-Related Test Still Appropriate for Workers' Compensation?" In Judith Greenwood and Alfred Taricco, eds. *Workers' Compensation Health Care Cost Containment*. LRP Publications, 1992.
- (with Timothy Schmidle) *The Workers' Compensation Desk Book*. LRP Publications, 1992.
- "Evaluating Workers' Compensation Systems." In *Safe Work: Preventing Injury and Disease in the Workplace*. Association of Trial Lawyers of America and Massachusetts Institute of Technology Section on Industrial Relations, 1991.
- (with Alan B. Krueger) "The Employers' Cost of Workers' Compensation Insurance: Magnitudes, Determinants, and Public Policy." *Review of Economics and Statistics*, May 1990.
- (with William G. Johnson) "Health Care Costs in Workers' Compensation." *Industrial Relations Research Association: Proceedings of the 42nd Annual Meeting*.
- (with H. Allan Hunt and Alan B. Krueger) "The Impact of Open Competition in Michigan on the Employers' Costs of Workers' Compensation." In Philip Borba and David Appel, eds., *Workers' Compensation Insurance Pricing: Current Programs and Proposed Reforms*. Kluwer Nijhoff (B.S. Huebner Foundation Series on Risk and Insurance), 1988.
- Editor and "Introduction" to *New Perspectives in Workers' Compensation*. ILR Press, Cornell University, 1988.
- (with Terry Thomason) "The Extent of Collective Bargaining in the Public Sector." In Benjamin Aaron et al., eds. *Public-Sector Bargaining*, (2nd ed.). Bureau of National Affairs and IRRRA, 1988.
- (with Monroe Berkowitz) *Permanent Disability Benefits in Workers' Compensation* (Upjohn Institute, 1987). (Awarded the 1989 Kulp Award by the American Risk and Insurance Association as the book "deemed the most outstanding contribution to the literature of risk and insurance.")
- (with Michael C. Dolan) "Evaluating the Cost Impact of Proposed Changes in Workers' Compensation Laws." *NCCI Digest* (National Council on Compensation Insurance), April 1987.
- "Determining the Causes of Back Disorders in the Workers' Compensation Program," *Legal Insight*, July/August 1986.
- (with Alan B. Krueger) "Interstate Variations in the Employers' Costs of Workers' Compensation, with Particular Reference to Connecticut, New Jersey, and New York." in James R. Chelius, ed., *Current Issues in Workers' Compensation*, The Upjohn Institute, 1986.
- (with H. Allan Hunt and Alan B. Krueger) "The Recent Moderation in Workers' Compensation Costs in Michigan and the Nation." In *The Economic Outlook 1986* (Proceedings of the Thirty-Third Annual Conference on the Economic Outlook, sponsored by The University of Michigan), 1986.
- "Workers' Compensation During the Next Decade." In J.T. Noblin, ed., *1985 Convention Proceedings of the IAIABC* (International Association of Industrial Accident Boards and Commissions).
- "Disability Benefits for Back Disorders in Workers' Compensation." In Nortin M. Hadler and Dennis B. Gillings, eds. *Arthritis in Society: The Impact of Musculoskeletal Diseases*. Butterworth & Co., 1985.

- (with Lloyd W. Larson) "Special Funds in Workers' Compensation." in John D. Worrall and David Appel, eds. *Workers' Compensation Benefits: Adequacy, Equity, and Efficiency*. ILR Press, Cornell University, 1985.
- "Economic Impact of Unions." in Bernard D. Meltzer and Stanley D. Henderson, *Labor Law- Cases, Materials and Problems*. Little, Brown and Co., 1985.
- Analysis of "Associated General Contractors of California, Inc. v. California State Council of Carpenters, et al." In Michael H. Cardozo, ed., *Preview of United States Supreme Court Cases*. American Bar Association, June 2, 1983.
- "Compensation for Permanent Partial Disabilities." In John D. Worrall, ed., *Safety and the Work Force*. ILR Press, Cornell University, 1983.
- "Workers' Compensation and Occupational Disease: Past, Present, and Future." in Robert E. Landess, ed., *1981 Convention Proceedings of IAABC*.
- (with Martin W. Elson) "Workers' Compensation Insurance: Recent Trends in Employer Costs." *Monthly Labor Review*. March 1981.
- "The Extent of Collective Bargaining in the Public Sector." In Benjamin Aaron, Joseph R. Grodin, and James L. Stern, eds. *Public-Sector Bargaining*. Bureau of National Affairs (Industrial Relations Research Association), 1979.
- (with Wayne Vroman) "A Report on Permanent Partial Disabilities Under Workers' Compensation." In John H. Noble and Ronald W. Conley, eds., *Research Report of the Interdepartmental Workers' Compensation Task Force*. Vol. 6, 1979.
- "Workers' Compensation Costs for Employers." In John H. Noble and Ronald W. Conley, eds. *Research Report of the Interdepartmental Workers' Compensation Task Force*. Vol. 3, 1979.
- "The Impact of Work-Related Injuries on Wisconsin Workers." in *Policy Analysis with Social Security Research Files*. U.S. Department of Health, Education, and Welfare, 1978.
- "Public Sector Strikes: Legal, Ethical, and Practical Considerations" In Richard DeGeorge and Joseph A. Pichler, eds., *Ethics, Free Enterprise, and Public Policy*. Oxford University Press, 1978.
- "Federal or State Responsibility for Workers' Compensation." *Proceedings of the 29th Annual Meeting. Industrial Relations Research Association*, 1977.
- "Workers' Compensation Reform." *Labor Law Journal*, July 1976.
- "Permanent Partial Disabilities and Workers' Compensation." *Journal of Urban Law*. May 1976.
- (with Charles Krider). "The Incidence of Strikes in Public Employment." In Daniel S. Hamermesh, ed., *Labor in the Public and Nonprofit Sectors*, Princeton University, 1975.
- "The National Commission on State Workmen's Compensation Laws: A Year Later." *Archives of Environmental Health*, July 1974.
- "A Summary of the Report of the National Commission on State Workmen's Compensation Laws." *Proceedings of the Twenty-Fifth Annual Winter Meeting, Industrial Relations Research Association*, 1973.
- "Analyses and Implications: Report of the National Commission on State Workmen's Compensation Laws." *State Government*, Spring, 1973.
- (with Nancy L. Watkins). "Employers' Costs of Workmen's Compensation," in *Supplemental Studies for the National Commission on State Workmen's Compensation Laws*, 1973.
- "Local Government Bargaining and Management Structure." *Industrial Relations*, May 1972.
- "Introduction to the Occupational Safety and Health Act." *Proceedings of the 1972 Annual Spring Meeting, Industrial Relations Research Association*, 1972.

- (with other Members of Commission). *The Report of the National Commission on State Workmen's Compensation Laws*. 1972.
- (with Monroe Berkowitz) "Objectives Other Than Income Maintenance for Workmen's Compensation." *The Journal of Risk and Insurance*. September 1971.
- (with John E. Parker) *The New Industrial Feudalism: Secular Trends in Voluntary Labor Mobility*. Occasional Paper, Industrial Relations Center, University of Chicago, 1971.
- "The Maintenance of Income Objective in Workmen's Compensation." In *Report of the National Workshop on Rehabilitation and Workmen's Compensation*. National Institutes on Rehabilitation and Health Services, 1971.
- (with Lee K. Benham, William M. Vaughn III, and Robert J. Flanagan) *Readings in Labor Market Analysis*. Holt, Rinehart, and Winston, 1971.
- (with Monroe Berkowitz) "The Income Maintenance Objective in Workmen's Compensation," *Industrial and Labor Relations Review*. October 1970.
- "Can Public Employees Be Given the Right to Strike?" *Proceedings of the 1970 Annual Spring Meeting*. *Industrial Relations Research Association*, 1970.
- (with Charles Krieger) "The Role and Consequences of Strikes by Public Employees." *Yale Law Review*. January 1970.
- Book Review of Harold M. Levinson, *Determining Forces in Collective Wage Bargaining*, In *Journal of Political Economy*, July/August, 1969.
- (with John E. Parker) "Interindustry Variations in Voluntary Labor Mobility." *Industrial and Labor Relations Review*, January 1969, and "Reply" to "Comment" by John Pencavel, *ibid.*, October 1969.
- (with John E. Parker) "Voluntary Labor Mobility in the U.S. Manufacturing Sector." *Proceedings of the Twentieth Annual Winter Meeting, Industrial Relations Research Association*, 1969, and excerpts published in *Monthly Labor Review*, April 1968.
- (with Arnold R. Weber, et al.) *Faculty Participation in Campus Governance*, American Association for Higher Education, 1967.
- (with James M. Clabault) *Sherman Act Indictments 1955-65: A Legal and Economic Analysis*, Federal Legal Publications, 1966, with 1967 and 1968 Supplements.
- Interstate Variations in Employers' Costs of Workmen's Compensation: Effects on Plant Location Exemplified in Michigan*. The W.E. Upjohn Institute for Employment Research, 1966.
- "Workmen's Compensation in Maine." *Maine Business Indicators*. April 1966.
- "The Uniform Commercial Code and Conflict of Laws." *The American Journal of Comparative Law*, 1960. [Cited in 2011 by Professor Kenneth Kettering in the *Gonzaga Law Review*: "An extensive polemical literature on successive versions of Section 1-105 appeared in the 1950s and early 1960s. For relatively nonpolemical reviews, see ... Professor Leflar's article [with citation], John F. Burton, Jr. [with citation to my article]. And Hawland [with citation]." The first of my nonpolemical articles?]

OTHER PUBLICATIONS

Editor and author of an article in most issues of three publications designed to convey information across disciplines and from academics to policy makers in workers' compensation:

Workers' Compensation Resources Research Report [WCRRR], occasional issues 2010-
Information available on www.workerscompresources.com

Workers' Compensation Policy Review [WCPR], bimonthly 2001-2008 (48 issues). All
issues can be downloaded without charge from www.workerscompresources.com

Workers' Compensation Monitor [WCM], bimonthly 1988-1997 (64 issues). Four
articles listed below can be downloaded without charge from
www.workerscompresources.com

Examples of my articles in the *WCRRR*:

“Workers' Compensation Costs for Employers, 1986-2014,” *Workers' Compensation Resources Research Report*, Issue Ten, September 2015.

“Overview of Workers' Compensation: Parts I and II,” *Workers' Compensation Resources Research Report*, Issue Nine, June 2015.

“Workers' Compensation Insurance Industry Underwriting Results Continue to Improve in 2013,” *Workers' Compensation Resources Research Report*, Issue Eight, November 2014.

Examples of my articles in the *WCPR*:

“Workers' Compensation Cash Benefits: Part Two: Cash Benefit Systems and Criteria for Evaluation,” *Workers' Compensation Policy Review*, November/December 2008.

“Workers' Compensation Cash Benefits: Part One: The Building Blocks,” *Workers' Compensation Policy Review*, March/April 2008.

“An Overview of Workers' Compensation,” *Workers' Compensation Policy Review*, May/June 2007.

“Lessons from Civilian Disability Systems for the Veterans' Disability Compensation Program,” *Workers' Compensation Policy Review*, March/April 2007.

“The Coverage of Work-Related Diseases in New York,” *Workers' Compensation Policy Review*, January/February 2007.

Selected articles in the *WCM*:

(with James R. Chelius) “Who Actually Pays for Workers' Compensation? The Empirical Evidence,” *Workers' Compensation Monitor*, Vol. 7, No. 6, November/December 1994.

(with Sandra Sinclair) “Measuring Non-Economic Loss: Quality-of-Life Values versus Impairment Ratings,” *Workers' Compensation Monitor*, Vol. 7, No.4, July/August 1994.

(with James R. Chelius) “Who Actually Pays for Workers' Compensation?” *Workers' Compensation Monitor*, Vol. 5, No. 6, November/December 1992.

(with Monroe Berkowitz) “Paeon to an Active Workers' Compensation Agency,” *Workers' Compensation Monitor*, Vol. 2, No. 7, September/October 1989.

CURRENT RESEARCH

(with Timothy P. Schmidle) *Workers' Compensation Policies for a 21st Century Program*. A book currently in preparation.

(with Steven L. Willborn, Stewart J. Schwab, and Gillian L. L. Lester), *Employment Law: Cases and Materials, Sixth Edition*. A casebook currently in preparation.

PRESENTATIONS INCLUDE

Presentation on "National Developments and Trends in Workers' Compensation" to the North Carolina Conference on Workplace Torts & Workers' Compensation, December 2015.

Presentation on "Stress on the Workers' Compensation Program from Recent Developments" to the Montana Governor's Conference on Workers' Compensation and Occupational Safety and Health, September 2015.

Presentation on "Workers' Compensation: Can the State System Survive?" The June 2015 Keynote Address for the Centennial Celebration of the Pennsylvania Workers' Compensation Program. The presentation was reprinted in the July 2015 issue of the *NAWCJ – Lex and Verum*, published by the National Association of Workers' Compensation Judiciary, and in the Winter 2015 issue of *Workers' First Watch*, published by the Workers' Injury Law and Advocacy Group.

Presentation on "Workers' Compensation: Recent Developments in Illinois and the Nation" to the Committee of the Whole of the Illinois House of Representatives, May 2015.

Presentation on "Workers' Compensation Developments Since 1960 and the Future of the Program, with Particular Emphasis on the Workers' Compensation Insurance Industry" at the *Annual Meeting of Workers Compensation Insurance Organizations*, June 2014.

Presentation on "The Costs of Workplace Injuries and Diseases: How Much? Who Pays? What Policies Should be Used to Reduce the Costs?" in a Panel on "Researchers and Practitioners Examine Invisible Costs of Work" at the *66th Annual Meeting of the Labor and Employment Relations Association*, May 2014,

Chair and Speaker on a Panel examining "Workers' Compensation: Recent Developments" at the *65th Annual Meeting of the Labor and Employment Relations Association*, June 2013.

Presentation on a Panel examining "A Century of U.S. Labor Management Relations" at a Symposium on *One Hundred Years of U.S. Labor and Employment Relations: A Look Back, A Look Forward, and A View from a Comparative Perspective* sponsored by American University, April 2013.

Presentation on "Should There be a 21st Century National Commission on State Workers' Compensation Laws?" in a Panel examining "Federalization/Federal Standards and Workers' Compensation: Effects of the Affordable Care Act on the System" at the *2013 Workers' Compensation Midwinter Seminar and Conference* sponsored by the American Bar Association, March 2013.

Presentation on "The Centennial of Workers' Compensation in Michigan: Looking Back and Looking Forward" at a session Celebrating the 100th Anniversary of the Michigan Workers' Disability Compensation Act sponsored by the State Bar of Michigan and the Michigan Workers' Compensation Agency at the North American Labor History Conference, October 2012.

- Moderator and Speaker on a Panel examining “The National Commission: Origins, Operation, Impact, and Lessons” at *A Symposium on the 40th Anniversary of the National Commission on State Workmen’s Compensation Laws*, which was held in Chicago July 2012 and was sponsored by the Workers’ Injury Law & Advocacy Group (WILG).
- “The Erosion of Workers’ Compensation Protection.” Presentation in October 2011 to the 6th Annual Convention of the Workers’ Injury Law & Advocacy Group (WILG), where I was one of the recipients of the 2011 Diplomat Award.
- “The Erosion of Workers’ Compensation Protection.” Presentation in August 2011 to the 97th Annual Convention of the International Association of Industrial Accident Boards and Commissions (IAIABC), where I was the recipient of the IAIABC Frances Perkins Award for dedication to innovation and progressive leadership in workers’ compensation and social security.
- “Workers’ Compensation: Recent Developments and the Relationship with Social Disability Insurance.” Presentation in November 2010 at the Hearing on *Developments in State Workers’ Compensation Systems* before the Subcommittee on Workforce Protections, Committee on Education and Labor, U.S. House of Representatives.
- (with Xuguang (Steve) Guo. “The Growth of SSDI Applications: A Spillover Effect from Workers’ Compensation.” Presented June 2008 at Conference on “Strengthening the Intersection of Demand-Side and Supply-Side Disability Employment Research: Toward a Coordinated Federal Research Agenda,” sponsored by the Interagency Committee on Disability Research.
- (with Xuguang (Steve) Guo). “A Brief History of Employment-Based Health Care and Retirement Benefits.” Presented June 2007 at the Labor and Employment Relations Association (LERA) 7th National Policy Forum.
- “Lessons from Civilian Disability Systems.” Statement presented April 2007 to the President’s Commission on Care for America’s Returning Wounded Warriors, Co-Chaired by Robert Dole and Donna Shalala.
- (with Xuguang (Steve) Guo and Monroe Berkowitz) “How do Changes in Workers’ Compensation Affect Social Security Disability Claims?” Presented at the October 2006 “Symposium on Health and Income Security for Injured Workers: Key Policy Issues,” sponsored by the National Academy of Social Insurance.

REPORTS INCLUDE

- Criteria for Granting Waiver of Coverage of the Defense Base Act* (prepared for the Office of Workers’ Compensation Programs, U.S. Department of Labor), 2010.
- Consultant to Economic Systems, Inc. for *A Study of Compensation Payments for Service-Connected Disabilities* (prepared for the Department of Veterans Affairs), 2008.
- (with Terry Thomason) *The Employers’ Costs of Workers’ Compensation in Ontario and Other Canadian and U.S. Jurisdictions*. (prepared for the Ontario Workplace Safety and Insurance Board), 2001.
- (with Terry Thomason) *Benefits and Costs* (prepared as part of the *Final Report: Oregon Major Contributing Cause Study* conducted by Edward M. Welch for the Workers’ Compensation Division of the Oregon Department of Consumer and Business Services), 2000.

- (with Terry Thomason) *Workers' Compensation Benefits in Washington and the Nation* and (with Terry Thomason), *The Cost of Workers' Compensation in Washington and North America*, (prepared as part of the *Workers' Compensation System Performance Audit* conducted by Edward M. Welch for the Joint Legislative Audit and Review Committee of the State of Washington), 1998.
- (with James R. Chelius and Monroe Berkowitz) *Workers' Compensation Insurance: Fundamental Issues in the North American Context* (prepared for The Victorian WorkCover Authority), 1997.
- (with Monroe Berkowitz, James R. Chelius, and David H. Dean) *Development of a Three Year Plan to Guide Future Policies and Operations of the Division of Workers' Compensation* (prepared for the Florida Division of Workers' Compensation), 1995.
- The Effect of Open Competition on the Costs of Workers' Compensation in Michigan* (prepared for The Bureau of Workers' Disability Compensation, Department of Labor, State of Michigan), 1990.
- (with Timothy P. Schmidle) *The Employers' Cost of Workers' Compensation in Michigan and the Nation* (prepared for The Bureau of Workers' Disability Compensation, Department of Labor, State of Michigan), 1990.
- (with Lisa Thornquist and others) *Report to the Legislative: Health Care Costs and Cost Containment in Minnesota Workers' Compensation* (prepared for the Minnesota Department of Labor and Industry), 1990.
- (with Monroe Berkowitz) *Goals, Agency Roles, Organizational Structure, and the Data System for the Minnesota Workers' Compensation Program* (prepared for the Minnesota Department of Labor and Industry), 1989.
- (with Janie Gittleman) *Occupational Diseases and the New York Workers' Compensation Program* (prepared for the New York State Department of Labor), 1988.
- The Role of the Permanent Disability Rating Schedule in the Ontario Workers' Compensation Program* (prepared for the Ontario Workers' Compensation Board), 1986.
- (with Dane M. Partridge and Terry Thomason) *The Final Draft of a Research Project on Nonscheduled Permanent Partial Disability Benefits Provided by the New York State Workers' Compensation Program* (Prepared for the New York Temporary State Commission on Workers' Compensation and Disability Benefits), 1986.
- (with H. Allan Hunt and Alan B. Krueger) *Interstate Variations in the Employers' Costs of Workers' Compensation, with Particular Reference to Michigan and the Other Great Lakes States* (Prepared for Theodore J. St. Antoine, Special Counselor on Workers' Compensation for Michigan Governor James J. Blanchard), 1985.
- (with Dane M. Partridge) *Workers' Compensation Benefits in Michigan and the Other Great Lakes States* (also prepared for Special Counselor St. Antoine), 1985.
- Interstate Variations in the Employers' Costs of Workers' Compensation with Particular Reference to Ohio and Pennsylvania* (Prepared for the Workers' Compensation Coalition), 1984.
- (with Lloyd W. Larson) *Special Funds in Workers' Compensation*. (Prepared for the Employment Standards Administration, U.S. Department of Labor), 1981.
- (with Lloyd W. Larson and Janet P. Moran) *The Final Report on a Research Project on Permanent Partial Disability Benefits* (Prepared for the Joint Labor/ Management Committee of the State of New York), 1980.
- (with Monroe Berkowitz and Wayne Vroman) *Permanent Disability Benefits in the Workers' Compensation Program* (Submitted to the National Science Foundation, 1979).

PROFESSIONAL ACTIVITIES INCLUDE

National Academy of Social Insurance (NASI). Member, NASI Study Panel on National Data on Workers' Compensation 1996- ; Chair, NASI Study Panel on National Data on Workers' Compensation, 1996-2012; Member, Board of Directors, 2004-08; Member, NASI Steering Committee on Workers' Compensation, 1996-2006. Chair, NASI Steering Committee on Workers' Compensation, 1996-2004.

Labor and Employment Relations Association (formerly the Industrial Relations Research Association) President 2002; Member, Executive Board, 1987-93, 2001-03; Editor-in-Chief 1990-94; Chair, Development and Contributions Committee, 2008-10; and Member 1962-.

New Jersey Chapter of Industrial Relations Research Association; Member, Executive Board, 1994-2012 ; Treasurer 2008-09; Secretary-Treasurer 1997-2008; and Member 1991 -

Member, Commissioner's Advisory Council on Workers' Compensation, New Jersey Department of Labor and Workforce Development, 1991-

President, Workers' Disability Income Systems, Inc., 1974-

Consultant, Economic Systems, Inc. (EconSys) for *An Evaluation of the Federal Return-to-Work System for People with Disabilities*, conducted for the U.S. Department of Labor, 2012.

Member, Scientific Advisory Committee, Institute for Work and Health (Ontario), 2001-08.

Consultant on Project to draft the *Patient Safety & Compensation Act*, a no-fault alternative to tort suits for the pharmaceutical industry, under auspices of Mayer, Brown, Rove & Maw LLP, Washington, DC, 2004-05.

Member, Executive Board, United States Branch, International Society for Labor Law and Social Security, 1995-2003

Member, U.S. Department of Energy, Workers Advocacy Advisory Committee for the Energy Employees Occupational Illness Compensation Program Act, 2001-02.

Chair, National Advisory Committee, Workers' Compensation Health Initiative, Sponsored by the Robert Wood Johnson Foundation, 1996-2001.

Visiting Fellow, RAND Institute for Civil Justice, November 2000.

Member, Massachusetts Turnpike Authority's Review Commission of the Owner-Controlled Insurance Program (OCIP) for the Central Artery/Tunnel (CA/T) Project, 2000.

Co-Director (with Edward Welch), National Symposium on Workers' Compensation, 1991-2000 and Speaker at National Symposium, 1976-2000.

Member, New Jersey Task Force on Higher Education, 1995.

Consultant on Workers' Compensation, Florida Division of Workers' Compensation, 1992-94.

Consultant, Governor Lawton Chiles, 1993 Helped draft changes in Florida workers' compensation law.

Associate Editor, *Industrial and Labor Relations Review*, 1982-1990; Acting Editor 1988.

Consultant, House Commerce Committee (Chaired by Rep. Art Simon), 1990. Helped draft changes in the Florida workers' compensation law.

Consultant on Workers' Compensation to Minnesota Department of Labor and Industry, 1987-1990.

Public Co-Chairman, Committee on Workers' Compensation, Section of Labor and Employment Law, American Bar Association, 1983-1988.

John R. Commons Lecturer, University of Wisconsin-Madison, 1988.

Member, Mediators and Factfinders Panel, New York State Public Employment Relations Board, 1981-86.

Consultant on Workers' Compensation to U.S. Department of Labor, 1977-86.

Consultant to the New York Temporary State Commission on Workers' Compensation and Disability Benefits; helped prepare cost estimates of various possible changes in the New York Workers' Compensation program, 1985-86.

Consultant to the Commerce and Labor Committee of the Massachusetts Legislature. Helped draft legislation that substantially revised the workers' compensation program. The legislation was enacted by both houses and signed by Governor Dukakis in December, 1985.

Chairman, Education and Research Committee, Society of Professionals in Dispute Resolution, 1983-1984.

Chair, Select Committee on Workers' Compensation, which was appointed by Governor Bob Graham to review the 1979 bill revising the Florida workers' compensation statute. The committee recommended that Governor Graham not sign the bill. The Governor ignored the advice.

Consultant, Florida Workers' Compensation Advisory Committee, 1977-78.

Chairman of the National Commission on State Workmen's Compensation Laws, 1971-72. The National Commission was created by the Occupational Health and Safety Act of 1970 and submitted its unanimous report to the President and the Congress on July 31, 1972, recommending Federal standards for state workers' compensation programs if those programs did not significantly improve.

EXPERT WITNESS AND ATTORNEY

Expert witness for plaintiff in *Florida Workers' Advocates et al. [Padgett] v. State of Florida*. In August 2014, the exclusive remedy provision of the Florida workers' compensation statute was found unconstitutional by Judge Jorge E. Cueto of the, Circuit Court of the 11th Judicial Circuit for Miami-Dade County, Florida, based in part on my deposition. The suit was dismissed on procedural grounds by the Third District Court, and the Florida Supreme Court denied a petition for review in December 2015. Retained by Mark L. Zientz, P.A., Miami, Florida.

Expert witness for plaintiff in *Marchall vs. Littman*, State of New York Supreme Court [trial court], Tompkins County. Retained by Law Office of Sharon M. Sulimowicz, Ithaca, New York 2011.

Expert witness for defendant in *Robert Rank vs. Village of South Russell*, United States District Court for the Northern District of Ohio. Retained by Mazanec, Raskin & Ryder Co., L.P.A., Cleveland, Ohio 2011.

Expert witness for defendants in *In Re McKesson Governmental Entities Average Wholesale Price Litigation*, United States District Court for the District of Massachusetts. Retained by Morrison & Foerster LLP, San Francisco, California. 2010.

Expert witness for defendants in *NPI Medical Group, et al. v. State Compensation Insurance Fund, et al.*, Superior Court of the State of California for the County of Los Angeles, Central District. Retained by Hancock Rotherth & Bunshoft LLP, Los Angeles, California. 2002.

(with Gardner W. Skinner and John F. Greenfield) Attorney for claimant/applicant in oral arguments to Supreme Court of Idaho in *Robert R. Combes v. State of Idaho, Industrial Special Indemnity Fund*. Retained by Cantril, Skinner, Sullivan, & King, Boise Idaho. 2000.

Expert witness for defendants in *Workers' Compensation Insurance Antitrust Litigation* in Minnesota. Retained by Doherty Rumble & Butler, St. Paul, Minnesota. 1990.

Expert witness for plaintiff in wrongful death tort suit in Connecticut. 1965-66.

MEMBERSHIPS AND HONORS

Received "Diploma Award" in 2011 from the Workers' Injury Law & Advocacy Group (WILG)

Received "Frances Perkins Award for Dedication to Innovation and Progressive Leadership in Workers' Compensation and Social Security" in 2011 from the International Association of Industrial Accident Boards and Commissions (IAIABC)

Fellow, The College of Workers' Compensation Lawyers, American Bar Association (Inductee from Initial Class)

American Bar Association

Ohio State Bar

American Economic Association

Labor and Employment Relations Association (formerly the Industrial Relations Research Association)

National Academy of Social Insurance (Founding Member)

International Society for Labor Law and Social Security

Workers' Compensation Research Group (Founding Member)

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