

# TRIAL PRACTICE: Use of Vocational Experts

## April 9, 2015

### JCC Orders & Motions Summary

Jurisdiction / Case:	Claimant vs. Employer / Carrier	Vocational Testimony / Evaluation Issue:
1) OJCC Sarasota Case: 13-027655DBB Judge Diane B. Beck Order of 03/05/15	Manuel Gudino vs. Boulder Ridge, Inc., D/B/A/ US Lawns of Sarasota	Scope of Interview, Questions requested prior to Interview, Testing Documents. <b>JCC Order Claimant is required to attend scheduled assessment</b> , regardless of production of documents, and assessment shall not be limited in scope.
2) OJCC Sarasota Case: 13-027655DBB Judge Diane B. Beck E/C Motion of 02/17/15	Manuel Gudino vs. Boulder Ridge, Inc.,  C/A: Victor Arias, Esquire E/C/A: Brad Hall, Esquire	Employer / Carrier Motion of 02/17/15 addressed C/A request for documentation and discovery outside of Deposition or Final Hearing / Trial, requested
3) OJCC Tampa Case: 14-028689EHL Judge Ellen H. Lorenzen Order of 03/16/15	Robert L. Young vs. Sparton Corporation  C/A: Ivan D. Voronec, Esquire E/C/A: Donald D. Kaelber, Esquire	JCC Order on E/C Motion to Compel Attendance at Vocational Testing. Motion granted pursuant to FS 440.15 (1) (e) 1, which permits E/C to conduct testing at least once per year.
4) OJCC Miami Case: 12-005235MAM Judge Mark Massey Order of 02/03/14	Charles Clifton vs. Ring Power Corporation Pompano Beach / Crane Division / USIS	<b>Claimant Attorney objected to Vocational Testing.</b> JCC references multiple sections of the Statute. <b>Motion to Compel Testing Granted</b>
5) OJCC Panama City Case: 10-010214LAR Judge Laura Roesch Order of 02/04/13	Willie Cutchins v Jackson County Sheriff	JCC Order on Motion to Compel participation in second Reemployment Assessment session for <b>Vocational Testing Session.</b>
6) OJCC St. Petersburg Case: 08-029863LLH Judge Stephen L. Rosen Order of 10/27/11	Curtis Adams v Reynolds Inliner / Underwriters, Safety & Claims	JCC Order Granting Motion to Compel Completion of Reemployment Assessment. JCC Order confirms second full day of Reemployment Assessment for <b>Vocational Testing.</b>
7) OJCC Sarasota Case: 08-006799DBB Judge Diane B. Beck Order of 07/27/09	Steven P. Beechy v Clean All Systems / Hartford Insurance Company	JCC Order Granting Employer/Carrier's Motion to Compel Completion of Reemployment Assessment. JCC Order Compels second session of participation to complete <b>Vocational Testing.</b>
8) OJCC Jacksonville Case: 11-017440WRH Judge William R. Holley Order of 02/14/14	Patricia V. Moore v. St. Johns County School District	<b>PTD Granted for the Claimant.</b> Claimant performed good faith <b>exhaustive job search</b> , unsuccessful, work related permanent physical restrictions. 450 Job Search Contacts.
9) OJCC Jacksonville Case: 12-012768RJH Judge Ralph J. Humphries Order of 03/18/15	Beth Jackson v. St. Johns County Welfare Federation / OptaComp E/C Servicing Agent	<b>PTD Granted for the Claimant.</b> JCC found that No E/C provision of Reemployment Services, Negative vocational factors: no work last 3 years, Sedentary / Unskilled Jobs < 1% of Labor Market. Physical <b>Restrictions combined with Vocational Factors preclude return to work</b> in a Sedentary position on an uninterrupted basis.
10) OJCC Jacksonville Case: 14-008607WRH Judge: Wilbur W. Anderson Order of 11/25/14	Louise Mikan v. Clyde E. Lassen State Veteran's Nursing Home / Florida Division of Risk Management	<b>PTD Granted for the Claimant.</b> JCC found that the Claimant was <b>not able to engage in at least sedentary employment within a 50 mile radius</b> of her residence, due to physical limitations. E/C provided Reemployment Services, "41 <sup>th</sup> hour Job Leads" (one month prior to hearing).
11) OJCC Jacksonville Case: 14-018100RJH Judge: Ralph J. Humphries Order of 02/17/15	Andrew S. Davis v. City of St. Augustine / Preferred Government Claims Solutions, E/C/Servicing Agent	<b>PTD Granted for the Claimant.</b> JCC determined that the Claimant had demonstrated an exhaustive Job Search effort. It was found by the JCC that the Claimant's physical restrictions for Sedentary Work were a factor limiting his Job Search. <b>Vocational Factors combined with physical restrictions</b> precluded the Claimant from performing Sedentary level position on an uninterrupted basis.