
WORKER'S COMPENSATION - NEW JERSEY

Lapsley v. Township of Sparta

Supreme Court of New Jersey - January 18, 2022 - A.3d - 2022 WL 151632

Workers' compensation claimant, a township library employee, sought review of Division of Workers' Compensation's order concluding that her injury from a snowplow accident in township-owned parking lot adjacent to library, after she clocked out from work, was compensable.

The Superior Court, Appellate Division, reversed, finding that the injuries did not arise out of and in the course of claimant's employment.

The Supreme Court held that township's exercise of control over the parking lot rendered claimant's injuries compensable under the Worker's Compensation Act.

Township exercised its "control" over parking lot adjacent to township library, such that injuries sustained by claimant, a library employee, in accident with snowplow after she stepped off a library curb directly into the parking lot where her husband was parked, arose out of and in the course of her employment, so as to be compensable under the Workers' Compensation Act, since township owned the lot and had right to control it, was maintaining it by plowing it of snow when the accident occurred, and would have been aware that a library employee would park in the lot directly abutting the library.

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