

**STEWART, GREENBLATT, MANNING & BAEZ**

DONALD R. STEWART (RET.)  
MADGE E. GREENBLATT  
ROBERT W. MANNING  
RICARDO A. BAEZ  
DAVID J. GOLDSMITH  
PETER MICHAEL DeCURTIS  
LAURETTA L. CONNORS  
JOHN K. HAMBERGER  
LISA LEVINE  
ANDREA L. De SALVIO  
KRISTY L. BEHR  
LUKE R. TARANTINO  
THOMAS A. LUMPKIN  
JONATHAN SO

ATTORNEYS AT LAW  
6800 JERICHO TURNPIKE  
  
SUITE 100W  
  
SYOSSET, NY 11791  
  
516-433-6677  
  
FAX 516-433-4342

KAFI WILFORD (2003-2010)  
MICHAEL H. RUINA (1992-2016)

RAYMOND J. SULLIVAN  
MONICA M. O'BRIEN  
MARY ELLEN O'CONNOR  
JAMES MURPHY  
OF COUNSEL

COURT OF APPEALS

In the Matter of the Claim of JOSEPH VARRONE, Appellant,  
v.  
COASTAL ENVIRONMENT GROUP et al., Respondents.  
and  
Workers' Compensation Board, Respondent.

Decided February 21, 2019

Motion for Leave to Appeal: Denied

Discussion: The claimant appealed a decision of the Appellate Division that upheld a finding of a 15% loss of wage earning capacity. The claimant had a non-surgical neck rating of F and was construction manager that had returned to work. The Appellate Division noted in part, "the Board also considered claimant's age, the fact that the position of construction project manager is the only position he has held in over 30 years of employment, the various certifications he has earned on the job, his high school education and his ability to use a computer and to read, write and speak English."