

## KERI L. MORRIS-JOHNSTON

SHAREHOLDER



### AREAS OF PRACTICE

Workers' Compensation  
Employment Law

### CONTACT INFO

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### ADMISSIONS

Delaware  
2005

U.S. District Court for the District  
of Delaware  
2005

U.S. Court of Appeals 3rd Circuit  
2005

### EDUCATION

Widener University School of Law  
(J.D., 2003)

University of Delaware (B.A.,  
1998)

### HONORS & AWARDS

The Best Lawyers in America®,  
Workers' Compensation Law -  
Employers  
2023-2024

Top Lawyer, Workers'  
Compensation Employer Defense,  
Delaware Today Magazine  
November 2022

Top Lawyer, Workers'  
Compensation for Employers,  
Delaware Today Magazine  
November 2020

### OVERVIEW

Keri's practice is devoted to Delaware workers' compensation and employment law defense (including discrimination and whistleblower protection), in addition to federal employment law defense. Throughout her legal career, she has represented clients including automobile assembly plants, nursing homes, hospitals, security companies and retailers in matters pertaining to workers' compensation and employment law. She is also experienced in handling matters for non-profits and fast food franchises, and advising clients in relation to owner controlled insurance policies. Keri is especially adept at assisting and educating small employers on issues pertaining to workers' compensation.

In addition to managing the Workers' Compensation Department in the Wilmington office, Keri is also a member of the firm's Executive Committee Advisory Council, a distinguished group of firm leaders whose purpose is to enhance the communication between the Executive Committee and younger members of the firm's professional ranks, including associates, special counsel and junior shareholders.

While attending Widener University School of Law, Keri worked for the Delaware Department of Labor, where she handled a wide variety of employment, labor and civil rights issues. Keri investigated allegations of employment discrimination and wage and hour violations, including alleged prevailing wage violations and child labor violations.

Keri is a graduate of the University of Delaware, where she received a Bachelor of Arts degree in Criminal Justice. She remains involved with her alma mater, serving as an advisor for the Alpha Sigma Alpha sorority.

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## ASSOCIATIONS & MEMBERSHIPS

Associated Builders and Contractors, associate member, Legislative and Legal Rights Committee

Delaware State Bar Association; chair, Workers' Compensation Section

Pennsylvania Bar Association

Randy J. Holland Delaware Workers' Compensation Inn of Court

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## YEAR JOINED

2005

## THOUGHT LEADERSHIP

**In order to qualify for unemployment benefits, the unemployed individual must be able and available to work.**

**Wilmington**  
**Employment Law**  
**July 1, 2023**

The plaintiff had been out of work for medical reasons for several months. Case Law Alerts, 3rd Quarter, July 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

### What's Hot in Workers' Comp - Special DE Alert

**Wilmington**  
**Workers' Compensation**  
**June 15, 2023**

New Workers' Compensation Rate Effective July 1, 2023 What's Hot in Workers' Comp – Special DE Alert – June 16, 2023,

### Four Marshall Dennehey Attorneys Selected 2022 “Top Lawyers” by Delaware Today Magazine

Health Care Liability  
Workers' Compensation  
November 1, 2022

Marshall Dennehey announced today that four attorneys from the firm's Wilmington, Delaware office have been selected 2022 “Top Lawyers” by Delaware Today magazine. The recognized attorneys are Bradley J. Goewert and Thomas J. Marcoz, Jr.

[Read More](#)

### What's Hot in Workers' Comp, Vol. 24, No. 6, June 2020

**Workers' Compensation**  
**June 1, 2020**

### Workers' Compensation Hot Tips From Delaware

**Wilmington**  
**Workers' Compensation**  
**June 1, 2020**

If an injured worker's average weekly wage is lower than the state minimum rate, the injured worker's average weekly wage for purposes of Workers' Compensation is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments.

## CLASSES/SEMINARS TAUGHT

*Whoops I Did It Again - The Legal Implications of Successive Injuries*, panelist, Delaware State Bar Association and the Industrial Accident Board Workers' Compensation Seminar 2023, Wilmington, Delaware, May 2, 2023

*Considerations Surrounding a Discharge*, Marshall Dennehey Workers' Compensation Seminar, October 27, 2022

*A State-By-State Guide to Avoiding Attorneys' Fees and Sanctions*, Marshall Dennehey Workers' Compensation Seminar, October 27, 2022

*Ethics and the Practice of Workers' Compensation*, Delaware State Bar Association William D. Rimmer Workers' Compensation Seminar 2022, Wilmington, Delaware, May 3, 2022

*Workers' Compensation Winter Roundup*, Graham Company webinar, December 15, 2020

*Understanding the Debate with the ADA, FMLA and Workers' Compensation*, Marshall Dennehey webinar, October 27, 2020

*Subsequent Injury and Successive Carrier Liability*, Holland Inns of Court, October 13, 2020

*Ethical Considerations During COVID-19*, Delaware State Bar Association, September 15, 2020

*Pot For Pain*, Marshall Dennehey Workers' Compensation Seminar, October 25, 2018

*Ingredients for Successfully Defending Claims for Work Injuries at Home*, Marshall Dennehey Workers' Compensation Seminar, October 19, 2017

*Defense Counsel Wish List*, Marshall Dennehey Workers' Compensation Seminar, October 27, 2016

*Put Me In Coach: Top 10 Opportunities in Claims and Litigation Management*, Marshall Dennehey Workers' Compensation Seminar, October 22, 2015

*Employment Law Update and Workers' Compensation Basics*, Delaware State Dental Society, Dover, Delaware, March 19, 2015

*Case Law Update*, Delaware State Bar Association Workers' Compensation Seminar, January 21, 2015

*Navigating The Bermuda Triangle: The Intersection of Workers' Compensation, FMLA and ADA*, Roadmap to Success - Understanding Workers' Compensation, Marshall Dennehey seminar, October 24, 2013

*Prevailing Wage Law in Delaware*, April 2005

## PUBLISHED WORKS

"New EEOC Procedures for the Release of Position Statements" and "EEOC Lawsuits Challenge Sexual Orientation Discrimination as Sex Discrimination," *Legal Updates for Employment Law*, May 2016

"Workers' Compensation Benefits and Unemployment Compensation Benefits ... Are Injured Workers Entitled to Both?," *Defense Digest*, Vol. 20, No. 3, September 2014

"Delaware Whistleblowers' Act Applies to Constructively Discharged Employees?," *Defense Digest*, Vol. 18, No. 4, December 2012

*Case Law Alerts*, regular contributor, 2011-present

"Updates To Delaware's Workers' Compensation Statute," *Defense Digest*, Vol. 13, No. 4, December 2007

## RESULTS

### Successful defense of COVID-19 claim involving a registered nurse.

#### **Workers' Compensation**

**November 1, 2022**

The plaintiff alleged she was exposed to COVID-19 while caring for a patient and infected both of her adult sons. One son died from COVID-19. We argued that COVID-19 was not an occupational disease and that she could not establish she contracted COVID-19 at work. The Industrial Accident Board agreed, resulting in a significant win for the employer.