

Why Older Workers Face Unique Challenges After a Serious Injury

Understanding the Risks, Realities, and Rights of Aging Employees in New York

For many hardworking New Yorkers, a job isn't just a paycheck — it's a lifeline. But when a [work injury](#) strikes later in life, recovery can feel like climbing a steep hill with a heavier load than before. Each step takes more effort, and the path forward feels uncertain.

At [Pasternack Tilker Ziegler Walsh Stanton & Romano LLP](#), our lawyers have represented thousands of injured workers in New York over the years, and we've seen firsthand how serious injuries affect older employees in unique and often overlooked ways. For those who have spent decades serving their communities — in [construction](#), healthcare, transit, or civil service — an on-the-job injury can threaten not only their health but also their livelihoods, independence, and sense of identity.

Age doesn't take away a worker's dedication or skill. But when the body is injured, the recovery process for older adults often looks very different, and so does the legal path toward getting the benefits they deserve.

The Physical Toll: Recovery Takes Longer and Demands More

Every injury has a physical cost, but for older workers, that cost can multiply.

A [broken bone](#) that might heal in six weeks for a younger worker could take twice as long for someone in their 50s or 60s. Preexisting conditions like arthritis, diabetes, or [heart issues](#) can complicate surgery and slow recovery. Soft tissue damage — the kind often dismissed as “minor” — can lead to [chronic pain](#) that lasts for years.

And yet, insurance companies often fail to consider these medical realities. They compare recovery timelines to “average” workers rather than real individuals. Our attorneys fight against those unfair standards every day. We ensure older clients aren't penalized for having slower healing times or needing ongoing treatment.

Returning to Work Isn't Always Simple

Many older workers want nothing more than to get back to their jobs, not just for the income, but for the sense of purpose and routine. Unfortunately, employers and insurers sometimes see age as a liability.

We've seen cases where an employer quietly pushes an injured worker into early retirement rather than accommodating medical restrictions. Others might offer [“light duty”](#) that isn't truly light or ignore a doctor's recommendations altogether.

This practice can be devastating. A worker who's spent 30 years mastering their trade may suddenly be told there's no place for them anymore. That's where legal representation

becomes critical. Our attorneys step in to protect your job rights, challenge improper terminations, and secure wage-loss benefits when returning to work isn't possible.

The Financial Burden Can Be Harder to Bear

By the time most workers reach their 50s or 60s, their financial responsibilities look different. They may be helping aging parents, supporting children through college, or trying to save for retirement. A sudden loss of income can derail years of careful planning.

Workers' compensation benefits provide partial wage replacement, but they don't always cover the full cost of living, especially in New York. If the injury leads to a permanent disability, an older worker may never be able to earn at their previous level again.

Our attorneys help clients explore every available avenue of financial recovery, including:

- Workers' compensation benefits for medical care and lost wages.
- [Social Security Disability \(SSD\)](#) for workers who can no longer perform substantial gainful employment.
- [Civil service disability pensions](#), when applicable, for public employees and first responders.
- [Third-party claims](#), if another company or contractor contributed to the injury.

It's not just about covering medical bills. It's about preserving dignity and stability for the years ahead.

The Emotional Weight of a Work Injury Later in Life

There's a psychological side to recovery that's often overlooked. Many older workers take great pride in their reliability — showing up every day, getting the job done, and taking care of their families. When an injury forces them off the job, it can feel like losing a part of who they are.

We've spoken to countless clients who describe feeling isolated, anxious, or guilty about being unable to work. Some worry that coworkers will forget them; others fear becoming a financial burden to their families.

The truth is, these emotions are normal and valid. Healing from a serious injury means addressing both the physical and emotional effects. Having a strong legal team handling the claim can lift a huge weight, giving workers and their families the breathing room they need to focus on recovery instead of red tape.

How Age Bias Affects Work Injury Claims

Older workers face an additional hurdle that rarely gets discussed: age bias.

Even though New York law prohibits discrimination based on age, bias can creep into how insurance companies and employers treat claims. An adjuster might assume a 60-year-old

worker's pain is "just aging." A company might claim that a worker's knee injury wasn't caused by the fall at work, but by "degeneration."

These assumptions are unfair and often inaccurate. Our attorneys use medical documentation, occupational history, and expert testimony to connect the injury clearly to the workplace, not to age. We've spent decades challenging these tactics and holding employers and insurers accountable when they try to minimize legitimate claims.

Why Experience Matters More Than Ever

The workers' compensation system wasn't designed to favor older workers, but with experienced representation, it can still work for them.

A common mistake older injured workers make is assuming they have to accept what the insurance company offers. But early offers are rarely fair, especially when recovery is uncertain or permanent impairment is likely.

At Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, our lawyers have handled cases for union members, public employees, healthcare workers, and private-sector employees across New York. Our insight is simple but powerful: the earlier we get involved, the more we can protect your future.

We make sure every detail is documented —from [preexisting conditions](#) to lost earning potential —and we fight for fair compensation that reflects your real, long-term needs.

How Our Attorneys Help Older Workers Reclaim Stability

Our team provides end-to-end guidance for injured workers across New York, including:

- Filing claims correctly and on time, ensuring that no technical errors delay benefits.
- Challenging IMEs that attempt to attribute injuries to aging rather than workplace causes.
- Coordinating with doctors who understand occupational injuries and can document lasting impairment.
- Pursuing concurrent benefits such as SSD or civil service disability pensions.
- Fighting for fair settlements that account for long-term medical care, partial disability, and loss of future earnings.

We don't just handle cases. We stand beside people who've built their careers serving New York. When those workers are injured, we make sure their years of dedication are met with the respect and compensation they've earned.

Age Should Never Be a Barrier to Justice

Workplace injuries don't discriminate by age, but recovery outcomes often do. Older workers deserve a system that recognizes their contributions and supports them through every step of healing.

Whether you're a nurse who injured your back after decades on the floor, a city worker with cumulative joint damage, or a construction veteran facing a life-changing accident — you have rights, and we're here to protect them.

If you or someone you love was injured at work, [contact us today](#) for a free consultation to see what our New York workers' compensation lawyers can do for you. We'll help you understand your potential options, secure your benefits, and move forward with confidence.