GOLDBERGSEGALLA



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Manhattan

Garden City

PRACTICES

Workers' Compensation

Construction Litigation and Counsel

INDUSTRIES

Construction

Sports and Entertainment

Food and Beverage

Health Care

Sean J. McKinley

PARTNER

EXPERIENCE

Sean J. McKinley is co-chair of Goldberg Segalla's Workers' Compensation practice group, and a trusted counselor to major companies and their executives in industries including construction and development, sports and entertainment, retail and hospitality and health care, including long-term care and home health care. Sean has nearly two decades of experience representing large contractors, construction managers, and owners in workers' compensation matters in Metro New York City, one of the world's most active—and litigious—construction markets. In particular, he has developed a reputation for handling large OCIP (Owner Controlled Insurance Program) and CCIP (Contractor Controlled Insurance Program) construction projects, and created the first-ever workers' compensation and Labor Law joint-defense program for New York State. In addition, Sean represents major- and minor-league sports teams and franchises, global media companies, entertainment studios, and related companies in a wide variety of workers' compensation litigation.

Sean's experience includes defending self-insured employers and insurance carriers in a wide range of workers' compensation claims, including those involving slips and falls, motor vehicle accidents, occupational disabilities, repetitive stress claims, psychiatric injuries, fraud claims under the Workers' Compensation Law, and World Trade Center claims.

Before entering private practice close to 20 years ago, Sean spent three years as Assistant Corporation Counsel for the New York City Law Department, where he defended the city in litigation involving work-related accidents, occupational disabilities, and World Trade Center claims.

He is a frequent author and presenter on topics in his area of focus, including third-party action consent in workers' compensation claims, New York State medical impairment guidelines, and New York State medical treatment guidelines.

EXPERIENCE HIGHLIGHTS

Construction

As a longtime counselor to large companies in the construction and development industries—including both contractors and owners—Sean has developed a deep understanding of OCIP and CCIP site-specific and rolling wrap-up programs, as well as workers' compensation liens, global settlements, and mediation, and helped to develop the first-ever workers' compensation and general liability joint-defense program for OCIP/CCIP in New York State.

Sports and Entertainment

Attentive to the needs of the distinctively "national" brands and entities in the fields of entertainment and major league sports, Sean has worked with attorneys across the firm's 22-office, coast-to-coast footprint to develop effective nationwide defense strategies and ensure consistent cost-efficiency, including the facilitation of industry-wide joint-defense programs and value-added services.

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Workers' Compensation Appeals

Sean has extensive experience at the appellate level in workers' compensation cases. He has handled numerous appellate briefs and oral arguments in the Appellate Division, Third Department, and he authored the winning brief used in the landmark Court of Appeals' reversal of *Zamora v. New York Neurologic Associates*, a decision that set important precedent for insurance carriers and employers in the defense of workers' compensation claims involving permanent partial disabilities.

HONORS & AWARDS

- New York Metro *Super Lawyers*, 2026
- New York Metro *Super Lawyers* Rising Stars, 2013–20
- Recipient of 2006 Legal Rookie of the Year Award, presented by Hon. Michael Bloomberg in recognition of performance, promise, and dedication in the first year of practice

BACKGROUND

ADMITTED TO PRACTICE

- New York

EDUCATION

- Molloy College Energia Partnership/Academy for Regional Stewardship, 2021
- Pace University School of Law, J.D., *cum laude*, 2005
- Villanova University, B.A., 2002

TRAINING AND CERTIFICATIONS

- Department of Labor OSHA-30 Training

PROFESSIONAL AFFILIATIONS

- New York Self-Insurers Association
- Claims and Litigation Management Alliance (CLM)
- American Society of Worker's Comp Professionals, Inc.
- Risk and Insurance Management Society (RIMS)
- Long Island Claims Association

COMMUNITY INVOLVEMENT

- Villanova A&S BRIDGE Society — Law, Politics, & Government
- Villanova Recruitment Network

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PUBLICATIONS & EVENTS

PUBLICATIONS

- "New Law Limits Exclusive Remedy Protections for Work Injuries" (Co-Author), May 29, 2019
- "Considerations to Overcome the Unintended Challenges of Wrap-up Policies" (Co-Author), Construction Executive, January 16, 2018

PRESENTATIONS

- "General Liability and Workers' Compensation Coordination," Claims and Litigation Management Alliance Construction Conference, September 18-20, 2024
- "Section 32 Settlements and Medicare Concerns," NYSBA Worker's Compensation Law and Practice Update, New York City, October 25, 2017
- "Return to Work Program: A Vital Tool to an Efficient Workers' Compensation Risk Management Program," 2016 Workers' Compensation ExecuSummit, Uncasville, CT, March 1, 2016
- "Knee Injuries: Avoiding Consequential Injuries and Minimizing Schedule Loss of Use," New York State Self-Insurers Association Annual Meeting, January 13, 2016
- "Impact of the Aging Workforce on the Workers' Compensation System," SEAK National Workers' Compensation Conference, July 2014
- "Trends in Workers' Compensation — New York," New York State Association of Health Care Providers, July 2014
- Panelist, "Law, Politics & Government Mentoring & Networking Event," Villanova A&S BRIDGE Society, October 3, 2012

WEBINARS

- "Construction Worksite Liability in the Age of COVID-19" (Co-Presenter), GS Webinar Series, May 20, 2020
- "Joint Defense for OCIP and CCIP Injury Cases in NY" (Co-Presenter), GS Webinar Series, May 17, 2018