

A [story published today](#) in the Raleigh News & Observer notes that Democratic lawmakers are objecting to Governor McCrory's appointment of Charlton Allen as a Commissioner of the North Carolina Industrial Commission.

The six Commissioners of the Industrial Commission, including Chairman Andrew Heath, govern the agency. Perhaps their most important role is that of appeals panel for disputed cases that are initially decided by Deputy Commissioners. Essentially, the Commissioners have the power to determine who is and is not entitled to medical and disability benefits under the workers' compensation system.

The lawmakers objecting to Mr. Allen have focused on his past statements about the rights of workers. Mr. Allen has expressed support for a constitutional amendment to preserve North Carolina's status as a 'right to work' state. Perhaps more controversially he has stated that North Carolina employers should not be obligated to provide paid sick leave or lunch breaks.

[North Carolina courts](#) have cited again and again the 'axiomatic principle mandating that the workers' compensation provisions of our General Statutes be construed liberally in the claimant's favor.' In light of this principle, it is critical that those who have the power to allow or deny benefits to injured workers do not hold any bias against them in favor of crony capitalism. As one lawmaker in the story notes, many claimants denied workers' compensation benefits are forced to rely on state and federal benefits. In other words, a bias against workers at the Commission would shift the cost of industrial injuries from private insurance to taxpayers.

In response to the criticism, Mr. Allen declared, 'I intend if I am confirmed to be a balanced, fair, equitable commissioner.' Indeed, it is best with judicial appointees to presume that they will apply the law fairly and impartially. Mr. Allen's confirmation is likely.