

TENNESSEE COURT OF WORKERS' COMPENSATION CLAIMS

Primm, Chad v. Central Sales & Service, Inc.

2026 TN WC 89 · No. 2025-60-3209 · Decided June 24, 2026

SUMMARY

The Tennessee Court of Workers’ Compensation Claims awarded Chad Primm permanent partial disability benefits based on a 7% impairment rating following a work-related low-back injury. The court denied permanent total disability benefits, dismissed the Subsequent Injury and Vocational Recovery Fund, and awarded past temporary disability benefits, future medical benefits, attorney fees, and discretionary costs. The compensation order was entered on June 24, 2026.

CASE DETAILS

COURT	Tennessee Court of Workers' Compensation Claims
WRITING FOR THE COURT	Kenneth M. Switzer
JURISDICTION	Tennessee Court of Workers’ Compensation Claims
DECIDED	June 24, 2026
DOCKET	2025-60-3209
DISPOSITION	other
PROCEDURAL POSTURE	Compensation hearing in an accepted workers' compensation claim concerning permanent impairment, permanent total disability, temporary partial disability, medical benefits, discretionary costs, and the liability of the Subsequent Injury and Vocational Recovery Fund.
STANDARD OF REVIEW	The employee bears the burden of proving entitlement to benefits by a preponderance of the evidence.
PRECEDENTIAL VALUE	Published compensation order

TOPICS

- workers compensation
- employment law
- damages
- remedies

PRACTICE AREAS

- workers compensation
- employment law
- damages
- remedies

QUESTIONS PRESENTED

1. Whether Primm was permanently and totally disabled under Tennessee workers' compensation law.
2. Whether the 12% impairment rating assigned by the authorized physician was rebutted by the competing 7% rating.
3. Whether Primm was entitled to temporary partial disability benefits after his termination.
4. Whether the Subsequent Injury and Vocational Recovery Fund had liability.
5. What future medical benefits, attorney fees, filing fees, and discretionary costs should be awarded.

HOLDINGS

1. Primm failed to prove by a preponderance of the evidence that he was unable to work at any occupation that would produce income; therefore, he was not permanently and totally disabled.
2. Central Sales rebutted the presumption favoring the authorized physician's 12% impairment rating, and Primm was entitled to an original award based on a 7% medical impairment.
3. A physician assistant acting under the supervision of a licensed physician may impose work restrictions; the applicable regulation does not reserve that function exclusively to a supervising physician.
4. Primm was entitled to temporary partial disability benefits from February 22 through September 3 because Central Sales failed to prove that misconduct under established or ordinary workplace rules, rather than the work injury, was the true motivation for his termination.
5. The Fund had no liability because Primm was not permanently and totally disabled and the required statutory conditions were not established.

KEY QUOTATIONS

“To prevail on this claim, Mr. Primm must show that he is “totally incapacitated from working at an occupation that brings [him] an income,” meaning he is unable to work at any job in the open labor market.” (7)

“An employer will not be penalized for enforcing a policy if the court determines (1) that the actions allegedly precipitating the employee’s dismissal qualified as misconduct under established or ordinary workplace rules and/or expectations; and (2) that those actions were, as a factual matter, the true motivation for the dismissal.” (10)

FACTUAL BACKGROUND

Primm injured his lower back while lifting a heavy steel object at work on January 6, 2025. One authorized physician assigned a 12% impairment rating and a 35-pound lifting restriction, while an employer-selected examining physician assigned a 7% rating and no restrictions. Primm did not return to work and was terminated after Central Sales asserted performance and attendance problems; the court found that his inability to meet the physical demands of the job, rather than misconduct, was the true reason for the termination.

PROCEDURAL HISTORY

Chad Primm filed an accepted workers' compensation claim arising from a January 6, 2025 low-back injury. After a compensation hearing on June 3, 2026, the Court of Workers' Compensation Claims denied permanent

total disability, awarded permanent partial disability based on a 7% impairment rating, awarded temporary partial disability benefits, dismissed the Subsequent Injury and Vocational Recovery Fund with prejudice, and awarded future medical benefits, attorney fees, and specified costs.

DISPOSITION

other

CASES CITED

- Willis v. All Staff, 2015 TN
- Duignan v. Stowers Mach. Corp., No. E2018-01120-SC-R3-WC, 2019 Tenn. LEXIS 224, at *21-22 (Tenn. Workers' Comp. Panel June 19, 2019)
- Henson v. City of Lawrenceburg, 851 S.W.2d 809, 812 (Tenn. 1993)
- Orman v. Williams Sonoma, Inc., 803 S.W.2d 672, 676-677 (Tenn. 1991)
- Mace v. Express Servs., Inc., 2015 TN Wrk. Comp. App. Bd. LEXIS 49, at *8-9 (Dec. 11, 2015)
- Womble v. Uncle Dave's Auto Repair, Inc., 2018 TN Wrk. Comp. App. Bd. LEXIS 61, at *8 (Dec. 10, 2018)
- Oldham v. Freeman Webb Co. Realtors, 2024 TN

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