

COMMONWEALTH COURT OF PENNSYLVANIA

J&S Technology Solutions, Inc. v. Wilben Gonzalez; Dish Network, LLC v. Wilben Gonzalez

J&S Technology Solutions · No. 922 & 928 C.D. 2023 · Decided August 4, 2026

SUMMARY

The Pennsylvania Commonwealth Court considers consolidated appeals concerning whether Wilben Gonzalez was an employee of J&S Technology Solutions, Inc., and whether Dish Network, LLC was his statutory employer under Section 302(a) of the Pennsylvania Workers’ Compensation Act. The opinion also addresses whether Dish Network justifiably relied on a certificate of workers’ compensation insurance and whether Brickstreet Insurance Company was estopped from denying coverage. The appeals arise from a Workers’ Compensation Appeal Board order affirming the workers’ compensation judge’s determinations.

CASE DETAILS

COURT	Commonwealth Court of Pennsylvania
WRITING FOR THE COURT	Renée Cohn Jubelirer, President Judge; Patricia A. McCullough, Judge; Anne E. Covey, Judge; Christine Fizzano Cannon, Judge; Stacy Wallace, Judge; Matthew S. Wolf, Judge; Stella M. Tsai, Judge
JURISDICTION	Pennsylvania
DECIDED	August 4, 2026
DOCKET	922 & 928 C.D. 2023
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Consolidated petitions for review by J&S Technology Solutions, Inc. and Dish Network, LLC from a Workers’ Compensation Appeal Board order affirming a Workers’ Compensation Judge’s decision that Gonzalez was J&S’s employee, Dish Network was his statutory employer, and Brickstreet was not estopped from denying workers’ compensation coverage.

STANDARD OF REVIEW	The Court reviews whether constitutional rights were violated, errors of law were committed, or necessary findings of fact were supported by substantial evidence. Employment status is a question of law based on the facts found, while the WCJ remains the ultimate fact finder and arbiter of credibility and evidentiary weight. Equitable estoppel presents a question of law reviewable on appeal.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	J&S Technology Solutions, Inc., Dish Network, LLC v. Wilben Gonzalez, Brickstreet Insurance Company, Uninsured Employer Guaranty Fund, Workers' Compensation Appeal Board

TOPICS

workers compensation employment law insurance administrative law appellate procedure

PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Gonzalez was an employee of J&S rather than an independent contractor under Pennsylvania workers' compensation law.
2. Whether Dish Network was a statutory employer liable for Gonzalez's workers' compensation benefits under Section 302(a) of the Workers' Compensation Act.
3. Whether Brickstreet was equitably estopped, at least as to Dish Network, from denying workers' compensation coverage based on the certificate issued by its authorized agent.
4. Whether Dish Network preserved its challenges to the WCJ's findings and equitable-estoppel ruling.

HOLDINGS

1. Gonzalez was J&S's employee, not an independent contractor, when he sustained his work injury.
2. The Court did not finally sustain Dish Network's statutory-employer liability because Brickstreet was equitably estopped, at least as to Dish Network, from denying the coverage represented in its certificate.
3. Brickstreet was equitably estopped, at least as to Dish Network, from denying the workers' compensation coverage represented in the certificate issued by its authorized agent.
4. Dish Network preserved its challenges to the relevant findings, statutory-employer determination, and equitable-estoppel ruling.

KEY QUOTATIONS

"The credited evidence and facts here support the legal conclusion that Claimant is an employee, not an independent contractor, as they favor, both directly and inferentially, the claim of employment and "make

[more than a] slightly stronger appeal to [that conclusion] than those opposed.”” (21)

“Holding that a third-party certificate holder cannot reasonably or justifiably rely upon a certificate of insurance that contains the statutorily required information and a certification by an insurer’s authorized representative that such information is correct because it also includes a boilerplate disclaimer would effectively make that certificate worthless for its statutorily prescribed purpose of being proof of WC insurance.” (45-46)

“As between Dish Network and Brickstreet, whose agent misrepresented the status of J&S’s WC coverage to Dish Network, “it is more reasonable for [Brickstreet as the] principal, who has placed the agent[, Mr. Hiney,] in the position of trust and confidence, to be the one to suffer from the wrongful act . . . , as opposed to an innocent stranger[, Dish Network].”” (47)

FACTUAL BACKGROUND

Gonzalez installed and repaired satellite equipment for J&S, which performed installation work for Dish Network. Although Gonzalez initially signed a one-year independent contractor agreement, it expired in June 2016 and no new agreement was signed. The credited evidence showed that J&S trained Gonzalez, scheduled and tracked his work, restricted him from working for competing installers or using helpers, supplied major equipment, and exercised control over the manner of his work. J&S’s prior workers’ compensation policy through Brickstreet expired on September 25, 2019, and no renewal policy was issued because the premium was not paid; nevertheless, Brickstreet’s authorized agent issued a certificate stating that coverage existed from September 25, 2019, through September 25, 2020, and Dish Network relied on that certificate in continuing to use J&S.

PROCEDURAL HISTORY

Gonzalez filed a workers’ compensation claim petition after sustaining disabling injuries while installing a satellite dish for a Dish Network customer. The WCJ determined that Gonzalez was an employee of J&S, that J&S lacked workers’ compensation coverage on the injury date, that Dish Network was a statutory employer, and that Brickstreet was not estopped from denying coverage. The Board affirmed. The Commonwealth Court affirmed the employee-status determination, reversed the determination that Brickstreet was not equitably estopped as to Dish Network, and remanded for further proceedings concerning liability and reimbursement.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Board’s order was affirmed insofar as it upheld the determination that Gonzalez was J&S’s employee. The order was reversed insofar as it rejected Dish Network’s equitable-estoppel claim. The matter at Docket Number 928 C.D. 2023 was remanded to the Board for further remand to the WCJ for proceedings consistent with the opinion, including determination of the consequences of Brickstreet’s estoppel and any reimbursement or allocation of benefits already paid. Jurisdiction was relinquished.

CASES CITED

- Universal Am-Can Ltd. v. Workers' Compensation Appeal Board (Minteer), 762 A.2d 328 (Pa. 2000)
- American Road Lines v. Workers' Compensation Appeal Board (Royal), 39 A.3d 603 (Pa. Cmwlth. 2012)
- Gailey v. State Workmen's Insurance Fund, 133 A. 498 (Pa. 1926)
- IDI Logistics, Inc. v. Clayton (Workers' Compensation Appeal Board), 284 A.3d 248 (Pa. Cmwlth. 2022)
- Lebanon Transit v. Schaeffer, 341 A.3d 203 (Pa. Cmwlth. 2025)
- Six L's Packing Co. v. Workers' Compensation Appeal Board (Williamson), 44 A.3d 1148 (Pa. 2012)
- Westinghouse Electric Corp./CBS v. Workers' Compensation Appeal Board (Korach), 883 A.2d 579 (Pa. 2005)
- Travelers Casualty and Surety Co. v. Castegnaro, 772 A.2d 456 (Pa. 2001)
- Taylor v. Crowe, 282 A.2d 682 (Pa. 1971)
- Sands v. Granite Mutual Insurance Co., 331 A.2d 711 (Pa. Super. 1974)
- Kairys v. Aetna Casualty & Surety Co., 461 A.2d 269 (Pa. Super. 1983)
- Duquesne Truck Service v. Workmen's Compensation Appeal Board (McKeesport Truck Service), 644 A.2d 271 (Pa. Cmwlth. 1994)
- Cozzzone v. Workers' Compensation Appeal Board (PA Municipal/East Goshen Township), 41 A.3d 105 (Pa. Cmwlth. 2012)
- Felmont Oil Corp. v. Workmen's Compensation Appeal Board (Furman), 525 A.2d 455 (Pa. Cmwlth. 1987)
- City of Williamsport v. Workmen's Compensation Appeal Board, 423 A.2d 817 (Pa. Cmwlth. 1980)
- Lusby v. Workers' Compensation Appeal Board (Fischler Co. & Sparmon, Inc.), 976 A.2d 1230 (Pa. Cmwlth. 2009)