

**TITLE 4: ECONOMIC RESOURCES**  
**DIVISION 9: LABOR**

**§ 9342. Compensation for Injuries Where Third Persons are Liable.**

The claim of an employee for compensation does not affect his claim or right of action for all damages proximately resulting from such injury or death against any person other than the employer. Any employer who pays, or becomes obligated to pay compensation, may likewise make a claim or bring an action against such third person and may recover in the same suit, in addition to the total amount of compensation, damages for which he was liable including all salary, wage, pension, or other emolument paid to the employee or to the employee's survivors.

If the employer shall recover from such other third person damages in excess of the compensation already paid or awarded to be paid under this chapter, then any such excess shall be paid to the injured employee, or other person entitled thereto, less the employer's expenses, including reasonable attorneys fees, and costs of action.

In the absence of a written agreement that provides otherwise, an alleged third party tortfeasor, named in a suit by an injured employee or on behalf of a deceased employee, may not obtain indemnification, reimbursement, or contribution from an employer in excess of the amounts for which this chapter mandates the employer compensate the injured or deceased employee.

**Source:** PL 6-33, § 1 (§ 9342).