

## **Defense ruling in railroad worker's comp claim**

A railroad worker had surgery for bilateral carpal tunnel syndrome and claimed a repetitive strain injury (RSI) was the cause. He alleged that he had been injured due to ergonomic hazards from the tools, machine and equipment he used, and the work tasks he performed in the course of his employment. Robson Forensic was retained to determine if his employer provided a reasonably safe place to work with respect to ergonomic hazards.

Upon examination of the work records, training procedures, and other related documents, our occupational health and safety expert was able to opine that the employer had met all appropriate standards of care in providing a safe ergonomic work environment. There were no documented instances of hazardous work conditions - no personal observation or physical or photographic evidence existed of the tools, machines, equipment and tasks to which the worker was allegedly exposed. We showed that the worker's failure to document information describing the forces, postures, repetitions, and vibrations of the various work tasks to which he was allegedly exposed and the lack of established levels of exposure of "no adverse risk", confirmed that his allegations were unsubstantiated and speculative. He also failed to account for any non-work-related factors which could have caused or contributed to his injury.

The worker's claim was unsubstantiated, without technical merit, and not a matter of scientific certainty. He failed to prove that his employer failed to provide a "reasonably safe place to work". This case was dismissed in favor of the defendant.

To email the experts involved in this case:  
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